Santosh

IN THE HIGH COURT OF BOMBAY AT GOA

PIL WRIT PETITION NO. 30 OF 2022

PEOPLE FOR ANIMALS GOA THR, ITS PRESIDENT NORMA ALVARES ... Petitioner.

Versus

THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND CHIEF WILDLIFE WARDEN AND 7 ORS ...Respondents.

Ms Norma Alvares, with Mr Om D'Costa, Advocates *for the Petitioner.*
Mr D.J. Pangam, Advocate General with Ms Maria Correia, Addl. Govt. Advocate *for Respondents No.1 & 3.*
Mr S.S. Kantak, Senior Advocate with Mr Preetam Talaulikar, Advocate *Respondent No.4.*
Mr Ashwin D. Bhobe, with Ms Annelise Fernandes, Advocates *for Respondent No.5.*
Mr Abhijit Gosavi, Advocate *for Respondent No.6.*
Mr Nigel Da Costa Frias, with Ms S. Nishad, Advocate *for Respondent No.7.*
Mr J.A. Lobo, Advocate *for Respondent No.8.*

CORAM : M. S. SONAK &
VALMIKI SA MENEZES, JJ.

DATE : 19th APRIL 2023

P.C. :

1. Ms Alvares, who appears along with Mr Om D'Costa, learned Counsel for the Petitioner states that the reliefs in this Petition are worked out. Mr Gosavi and Mr Lobo, who appear for

Respondents No.6 and 8 also agree that the reliefs in this Petition are worked out.

2. Accordingly, by making the interim orders granted in this Petition, absolute, we dispose of this Petition. Disposal of this Petition will not prejudice the rights, if any, of the Respondents. Further, whenever, Respondent No.8 wishes to visit elephant Janimani in Karnataka, Respondent No.7 must allow Respondent No.8 to do so.

VALMIKI SA MENEZES, J. M. S. SONAK, J.

SANTOSH S MHAMAL

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA

MISC. CIVIL APPLICATION NO. 114 OF 2023
IN
PIL WRIT PETITION NO. 30 OF 2022

PEOPLE FOR ANIMALS GOA THR, ITS PRESIDENT NORMA ALVARES ... Applicant.

Versus

THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND CHIEF WILDLIFE WARDEN AND 7 ORS ...Respondents.

Ms Norma Alvares, with Mr Om D'Costa, Advocates *for the Applicant.*
Mr D.J. Pangam, Advocate General with Ms Maria Correia, Addl. Govt. Advocate *for Respondents No.1 & 3.*
Mr S.S. Kantak, Senior Advocate with Mr Preetam Talaulikar, Advocate *Respondent No.4.*
Mr Ashwin D. Bhobe, with Ms Annelise Fernandes, Advocates *for Respondent No.5.*
Mr Abhijit Gosavi, Advocate *for Respondent No.6.*
Mr Nigel Da Costa Frias, with Ms S. Nishad, Advocate *for Respondent No.7.*
Mr J.A. Lobo, Advocate *for Respondent No.8.*

CORAM : M. S. SONAK &
VALMIKI SA MENEZES, JJ.

DATE : 19th APRIL 2023

P.C. :

1. Heard Ms Alvares for the Applicant, learned Advocate General, who appears along with Ms Maria Correia, Addl. Govt.

Advocate for Respondents No.1 and 3, Mr S.S. Kantak, learned Senior Advocate who appears along with Mr Talaulikar for Respondent No.4, Mr Bhobe for Respondent No.5, Mr Gosavi for Respondent No.6, Mr Costa Frias for Respondent No.7 and Mr Lobo for Respondent No.8.

2. Mr Kantak states that Respondent No.4 has already appointed a Veterinary Doctor as detailed in paragraph 2 of the Affidavit filed by Respondent No.2. He states that Respondent No.4 will have no objection for granting prayer clauses (i) and (ii). Further, on instructions, he states that if any representative of the Petitioner wishes to accompany the Forest Department Officials, there would be no objection. Accordingly, the Forest Department to intimate the Petitioner.

3. The learned Advocate General also states that the relief can be granted in terms of prayer clauses (i) and (ii).

4. Accordingly, relief is granted in terms of prayer clauses (i) and (ii) and this Misc. Civil Application is disposed of.

VALMIKI SA MENEZES, J. M. S. SONAK, J.

SANTOSH S MHAMAL

18 July 2022

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IN THE HIGH COURT OF BOMBAY AT GOA

PIL WRIT PETITION NO.30/2022

PEOPLE FOR ANIMALS GOA THROUGH ITS PRESIDENT MS. NORMA ALVARES ... Petitioner

Versus

THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND CHIEF WILDLIFE WARDEN AND 6 ORS. ... Respondents

Mr. Om D'Costa, Advocate *for the Petitioner.*
Mr. D. Pangam, Advocate General with Ms. Maria Correia, Additional Government Advocate *for the State.*
Mr. A. D. Bhobe, Advocate *for Respondent No.5.*
Mr. Abhijit Gosavi, Advocate *for Respondent No.6.*
Mr. Nigel da Costa Frias and Mr. G. Malik, Advocates *for Respondent No.7.*

WITH
MISC. CIVIL APPLICATION NO.1547/2022 (F)

BHAGWAN GANGARAM SHINDE
aged 59 years, Modha Vasti,
Ravalgaon, Malegaon, Nashik,
Maharashtra, 423108
9967463231 ... Intervenor

Mr. J. Lobo, Advocate *for the Intervenor.*

IN
PIL WRIT PETITION NO.30/2022

PEOPLE FOR ANIMALS GOA
THR, ITS PRESIDENT NORMA
ALVARES ... Petitioner

Versus

THE PRINCIPAL CHIEF
CONSERVATOR OF FORESTS
AND CHIEF WILDLIFE WARDEN
AND 6 ORS. ... Respondents

Mr. Om D'Costa, Advocate *for the Petitioner.*
Mr. D. Pangam, Advocate General with Ms. Maria Correia, Additional Government Advocate *for the State.*
Mr. A. D. Bhobe, Advocate *for Respondent No.5.*
Mr. Abhijit Gosavi, Advocate *for Respondent No.6.*
Mr. Nigel da Costa Frias and Mr. G. Malik, Advocates *for Respondent No.7.*

CORAM: M. S. SONAK &
R.N. LADDHA, JJ.

DATED: 18th JULY 2022

P.C.:

1. Heard Mr. Om D'Costa for the petitioner. Learned Advocate General appears along with Ms. Maria Correia, learned Additional Government Advocate for respondents no.1, 2 and 3, Mr. Ashwin Bhobe for respondent no.5, Mr. Abhijit Gosavi for respondent no.6, Mr. Nigel da Costa Frias for respondent no.7 and Mr. J. Lobo for Mr. Bhagwan Shinde who seeks to intervene in this matter.

2. For the present, we are satisfied that some urgent orders are necessary concerning the elephant Janimani (Zonimoni) presently housed at the Sahakari Spice Farm (respondent no.5).

3. From the material placed in this petition and on hearing the learned counsel for the petitioner, learned Advocate General, Mr. Bhobe, Mr. Lobo, Mr. Gosavi and Mr. Costa Frias, we are satisfied that *prima facie* Janimani is used for commercial purposes. From the material on record we are also satisfied that the elephant, Janimani is required to be transferred to the Wild Life Rescue and Rehabilitation Center (WRRC) at Karnataka so that she is properly treated and cared for.

4. Mr. Bhobe, learned counsel for respondent no.5, on instructions has stated that respondent no.5 will have no objection to the transfer of Janimani. The learned Advocate General has stated that even the Forest Department feels that it would be appropriate to transfer Janimani to WRRC.

5. Mr. Costa Frias, the learned counsel for the WRRC also states that the elephant can be transferred to their Center for treatment and rehabilitation. He however points out that they have place for only six elephants out of which three places are already taken up. He therefore submits that if the transfer is not effected early, then, there may be some issue if in the meanwhile

some other elephants have to be admitted for rehabilitation. Mr. Om D'Costa, learned counsel for the petitioner also submits that the transfer may be effected as early as possible so that the apprehension expressed by Mr. Costa Frias is addressed.

6. The only opposition to the transfer of Janimani comes from the intervenor Mr. Bhagwan Shinde. Mr. Lobo on his behalf submits that the intervenor is the actual owner of the elephant. He submits that the elephant is in perfect health and not used for any commercial purposes but only for exhibition purposes. He admits that the monthly expenditure for the upkeep of the elephant is ₹2 lakhs. However, he submits that Mr. Shinde is not in a financial capacity to deposit any amount in this Court to demonstrate at least *prima facie* that he has the financial capacity.

7. Mr. Lobo submits that Mr. Shinde is already facing a criminal prosecution and he will defend the same and prove his innocence. He submits that no orders may be made for transferring the elephant.

8. At least *prima facie* all such contentions on behalf of Mr. Shinde cannot be accepted. The records indicate that the prosecution was launched against him because he was unable to produce proper ownership documents. The Criminal Case

No.67/AOA/WLP/2020/B/C is pending before the Court of the Judicial Magistrate First Class at Ponda against Mr. Shinde. Besides, as noted earlier, the material on record belies Mr. Shinde's contention that the elephant is not being used for commercial purposes. It is quite inconceivable that Mr. Shinde claims to be spending ₹2 lakhs on the elephant without exploiting the elephant commercially. Mr. Shinde expressed inability to make any financial deposit in this Court to prove his bonafides. At the behest of Mr. Shinde therefore, it would not be appropriate to prolong the agonies of the elephant or to delay the transfer of the elephant to WRRC.

9. Learned Advocate General submitted that permission will be necessary from the JMFC Ponda for the transfer. He states that such application seeking permission will be filed before the Court of JMFC, Ponda at the earliest. We request the JMFC, Ponda to dispose of this application at the earliest keeping in mind the urgency of the situation. Mr. Costa Frias's contention about the limited slots at the WRRC should also be considered. Such application should be disposed of within three days from its institution.

10. Learned Advocate General has stated that about a month's time would be necessary to effect the transfer. He also stated that

efforts would be made to transfer the elephant at the earliest but an outer limit of one month is sought for. Some reasonable time would certainly be required. However, we will appreciate if the Forest Department officials act with utmost dispatch so that there is no delay in the matter. We also request the WRRC to process the admission and transportation formalities immediately from now itself so that Janimani is properly treated and rehabilitated.

11. The intervention application No.1547/2022 (F) is allowed and Mr. Bhagwan Shinde is impleaded as respondent no.8. Necessary amendment be carried out forthwith. Mr. Lobo waives service on behalf of respondent no.8 and states that further affidavit will be filed on or before 10.08.2022.

12. We place this matter for further consideration on 10.08.2022. All concerned to act on the authenticated copy of this Order.

R.N. LADDHA, J. **M. S. SONAK, J.**

SUCHITRA NANDAN SINGBAL

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26 April 22

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IN THE HIGH COURT OF BOMBAY AT GOA

P.I.L. WRIT PETITION NO.~~954~~ 30 OF 2022 (F)

PEOPLE FOR ANIMALS GOA THR,
ITS PRESIDENT NORMA ALVARES ... Petitioner.

Versus

THE PRINCIPAL CHIEF CONSERVATOR
OF FORESTS AND CHIEF WILDLIFE
WARDEN AND 6 ORS. ... Respondents.

Ms. Anamika Gode, Advocate *for the Petitioner.*

Mr. Devidas Pangam, Advocate General with Ms. Maria Correia, Additional Government Advocate *for the State.*

CORAM: M.S. SONAK &
R.N. LADDHA, JJ.

DATED: 26th April 2022

P.C:

1. Issue notice to the Respondents returnable on 04.05.2022.

2. In addition to the usual mode of service, private service/humdast is permitted. The Petitioner to file affidavit of service.

3. Learned Advocate General states that the concerned officials of Respondent Nos.1, 2 and 3 will inspect the premises of Respondent Nos.4 to 6 to find out whether the allegations made in this petition are correct. He states that action as permissible in law will also be initiated if the allegations are indeed found to be correct.

4. By 04.05.2022, the concerned officials representing Respondent Nos.1, 2 and 3 to file an affidavit in the matter explaining the results of such inspection and action, if any.

5. If Respondent Nos.4, 5 and 6 wish to file any affidavit, they should do so on or before 04.05.2022 without seeking any adjournment.

6. Ms. Gode states that private service will be served at the earliest on Respondent Nos.4, 5 and 6.

7. Stand over to 04.05.2022.

R.N. LADDHA, J.

M.S. SONAK, J.

JOSE FRANCISCO DSOUZA

Matter not called out on 4/5
But Forest Dept filed affidavit

ANAM
01 C

Office of the Advocate General
Received
Date: 25/04/22
1:05
Received 2 copies
Resp No. 193

IN THE HON'BLE HIGH COURT OF JUDICATURE
AT BOMBAY, GOA BENCH, AT PORVORIM

P.I.L. Writ Petition No. 954/2022 (F)

People for Animals – Goa ...Petitioner

v/s

The Principal Chief Conservator of Forests & Chief Wildlife Warden and Ors. ...Respondents

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PLACE: PORVORIM, GOA
DATE: 22nd April 2022

ADVOCATE FOR THE PETITIONER

A

IN THE HON'BLE HIGH COURT OF JUDICATURE

AT BOMBAY, GOA BENCH, AT PORVORIM

P.I.L. Writ Petition No. /2022

People for Animals – Goa ...Petitioner

v/s

The Principal Chief Conservator of Forests & Chief Wildlife Warden and Ors. ...Respondents

SYNOPSIS AND CHRONOLOGY OF DATES AND EVENTS

The present petition is filed seeking this Court's urgent intervention in safeguarding the health and welfare of some captive elephants in the State of Goa, located in the farms/ resorts of the Resp. No.s 5 and 6. These elephants were seized by the Chief Wildlife Warden in 2018 from the private Respondents, on grounds of violations of provisions of the Wildlife Protection Act. However, owing to constraints such as a lack of facilities with the Forest Department to house and take care of the elephants, the elephants were permitted to remain with

the private Resorts. In the time period 2019-2020, these elephants continued to be put to commercial use at these Resorts, and owing to the inaction of the State Authorities, the petitioner approached this Hon'ble Court in P.I.L. W.P. 7/2020. Pursuant to assurances given by the private Respondents that no commercial use of the elephants was taking place, this Hon'ble Court disposed of the petition, and directed for an Expert Committee Report on the status of Captive Elephants. This report found the conditions at the farms of the Resps. No. 5 and 6 to be poor for the welfare of the elephants, owing inter alia to ill health of the elephants and inadequate shelter arrangements. Apart from this serious issue of the poor health and conditions of the elephants, the Petitioner was most disturbed to learn that the Respondents No. 5 and 6 have once again resumed commercial use of the captive elephants located at their properties. Despite a complaint made to the Resp. No. 1 in January 2022, no action has been taken to restrain the commercial use of the captive elephants, which has constantly continued till date. Hence this PIL.

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LIST OF DATES AND EVENTS

Sr. No.	Date	Particulars of events or documents if any	Annexure and page
1.	02.02.2016	Hon'ble Supreme Court in W.P. 743/2014 directs that the captive elephants of Goa must not be treated with any form of cruelty.	**Ann. 9,** at pgs 74 - 75
2.	18.12.2018	Resp No. 1 (CWLW) issues Orders to seize the 10 elephants from the spice farm resorts of Resp No. 4 - 6 being in violation of Section 40(2), 42 and 43 of the Wildlife Protection Act, 1971.The elephants are taken into the forest custody and deposited with the Managers of the respective farms to produce as and when required in the proceedings.	**Ann. 3,** at pgs. 35 - 46
3.	2019-2020	Despite complaints from the Petitioner regarding the seized elephants being put to	

		commercial use, no action taken to stop this practice.	
4.	Feb. 2020	P.I.L. W.P. 7/2020 filed by the Petitioner to secure welfare of seized elephants.	
5.	02.11.2020	This Hon'ble Court appoints a Committee headed by Dr. Surendra Varma to look into status of captive elephants in Goa. On the basis of assurances from private resorts that elephants are not being put to commercial use, as well as stand of Ld. A.G. that the Resorts have no right to use the elephants for commercial purposes, this Court disposes P.I.L. W.P. 7/2020.	**Ann. 4,** at pgs. 47 - 56
6.	16.02.2021	Dr. Surendra Varma Committee submits its report on Captive Elephants in Goa.	**Ann. 5,** at pgs. 57 - 60
7.	11.01.2022	Petitioner writes to the P.C.C.F.-C.W.W [*Resp. No. 1*] regarding fresh incidents of elephants	**Ann. 6,** at pgs. 61 - 62

		being put to commercial use at the Spice Farms/Resorts of the Resp. No.s 5 and 6.	
8.	07.04.2022	Animal welfare officer Dr. Karlette Ann Fernandes visits the farm of the Resp. No. 5 to verify the situation of the elephants there. Her affidavit confirms the deplorable conditions of the captive elephant put to commercial use.	**Ann. 8,** at pgs. 70 - 73
9.	22.04.2022	Present P.I.L. W.P. is filed	

IN THE HON'BLE HIGH COURT OF JUDICATURE

AT BOMBAY, GOA BENCH, AT PORVORIM

P.I.L. Writ Petition No. /2022

People for Animals – Goa ...Petitioner

v/s

The Principal Chief Conservator of Forests & Chief Wildlife Warden and Ors. ...Respondents

QUESTIONS FOR DETERMINATION

& LIST OF ACTS & AUTHORITIES

1. Whether captive elephants, under the custody of the Forest Department in view of seizure orders passed under provisions of the Wildlife Protection Act, 1972, can be continued to be used for commercial purposes?

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- The Constitution of India, 1950
- The Wildlife Protection Act, 1972
- The Prevention of Cruelty to Animals Act, 1960
- The Performing Animals (Registration) Rules, 2001

Judgements relied upon

- Order of the Hon'ble Supreme Court of India in W.P. 743/2015, *Wildlife Rescue and Rehabilitation Centre and Ors. vs. Union of India & Ors,* dt. 02.02.2016

- Order of this Hon'ble Court in P.I.L. W.P. 7/2020, *People for Animals Goa vs. PCCF/CWW & Ors.*, dt. 02.11.2020

PLACE: PORVORIM, GOA

DATE: 22nd April 2022.

ADVOCATE FOR THE PETITIONER

AnAM

IN THE HON'BLE HIGH COURT OF JUDICATURE
AT BOMBAY, GOA BENCH, AT PORVORIM

P.I.L. Writ Petition No. /2022

IN THE MATTER OF ARTICLES 14, 21, 48A, 51 A(g) AND 226 OF THE CONSTITUTION OF INDIA

AND

IN THE MATTER OF THE WILDLIFE PROTECTION ACT, 1972

AND

IN THE MATTER OF THE PREVENTION OF CRUELTY TO ANIMALS ACT, 1960

AND

IN THE MATTER OF THE PERFORMING ANIMALS (REGISTRATION) RULES, 2001

AND

IN THE MATTER OF THE WELFARE AND UPKEEP OF CAPTIVE ELEPHANTS IN GOA

AND

IN THE MATTER OF THE ILLEGAL USE OF CAPTIVE ELEPHANTS FOR COMMERCIAL AND TOURISM PURPOSES

1. **PEOPLE FOR ANIMALS - GOA,**
through its President Smt. Norma Alvares,
age 71 years, a Society registered under
the Societies Registration Act, 1860,
with Reg. No 46/Goa/99, having office
at G-8, St. Britto Apartments,
Feira Alta, Mapusa, 403507, Goa,
PAN No. – AAAJP0416B,
Approx. annual income - Rs 10,00,000/-,
Email id. - pfagoa@gmail.com

...PETITIONER

v/s

1. **THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS, & CHIEF WILDLIFE WARDEN**
(PCCF/CWW) 'Van Bhavan',
Altinho, Panaji, Goa – 403001.

2. **THE GOA STATE WILDLIFE BOARD,**
   Through its Member Secretary,
   the PCCF/CWW, 'Van Bhavan',
   Altinho, Panaji, Goa – 403001.

3. **THE STATE OF GOA,**
   through its Chief Secretary,
   c/o Secretariat, Porvorim, Goa - 403521.

4. **M/S JUNGLE BOOK RESORT,**
   Bazarwado, Collem,
   Dharbandora, Goa - 403410.

5. **M/S SAHAKARI SPICE FARM,**
   Ponda Belgaum Highway,
   Curti, Ponda, Goa - 403401.

6. **M/S TROPICAL SPICE PLANTATION,**
   H.No. A-14 , Arla Bazar Keri,
   Ponda, Kerim, Goa - 403401.

7. **WILDLIFE RESCUE AND REHABILITATION CENTER (WRRC),**
   A3, First Floor, Kensington Apartments,
   18/1 Ulsoor Cross Road,
   Off Bazaar Street, Ulsoor,
   Bengaluru - 560083.

8. **BHAGWAN GANGARAM SHINDE,**
   aged 59 years, Modha Vasti,
   Ravalgaon, Malegaon, Nashik,
   Maharashtra - 423108
   Mobile no. - 9967463231.

To,

The Hon'ble Chief Justice

and His Companion Judges,

Bombay High Court at Porvorim, Goa

THIS HUMBLE PETITION OF THE PETITIONER MOST RESPECTFULLY SHOWS AS UNDER

PARTICULARS OF THE CAUSE AGAINST WHICH THIS PIL IS FILED

1. This Petition is filed in public interest for the welfare of captive elephants in Goa which have been seized by the Forest Department in December 2018, but remain in the physical custody of the spice farms/resorts. The Chief Wildlife Warden (Resp No 1) had held the transport of these elephants into Goa and their possession and use by the Respondent spice farms/Resorts to be illegal. The Petitioner had previously approached this Hon'ble Court vide P.I.L. W.P. 7/2020 to restrain the Respondent resorts from using these elephants for any commercial purposes. The P.I.L. W.P. was disposed of after an undertaking to this effect was given to this Hon'ble Court by all

respondent resorts. However, Respondents No. 5 and 6, have once again commenced the use of the elephants for performances and rides to entertain tourists. No action has been taken by the Forest department despite being informed of the same and hence, the Petitioner is constrained to approach this Hon'ble Court once again seeking relief for the elephants from such cruel and illegal practices.

2. Further, the Petitioner submits that the site inspection report of the Expert committee (constituted by this Hon'ble Court in P.I.L. W.P. 7/2020 to examine the health and overall well being of the elephants) - has found several glaring inadequacies and problems with the present upkeep of some of the elephants and has made several pertinent observations and detailed recommendations to develop a long term management plan for all the elephants. Respondent No. 1 has taken no action to implement the recommendations of the committee - even in the case of the three elephants in the custody of Res Nos 5 and 6, where immediate action ws recommended - despite assuring this Hon'ble Court that necessary steps would be taken by the Forest Department to ensure the welfare of these elephants depending on the result of the

inspection. Thus, the elephants continue to languish in terrible living conditions. Hence this PIL.

Particulars of the Petitioner

3. The Petitioner is a registered NGO under the Societies Registration Act, 1860 with Registration Number 27/Goa/99. The Petitioner has previously approached this Hon'ble Court in relation to the commercial use and welfare of captive elephants in Goa vide PIL WP No. 7/2020. The Petitioner has earlier obtained favourable orders from this Hon'ble Court in PILs filed by it to ban bull fights and to stop the killing of stray dogs. The Petitioner has the distinction of being the first animal welfare organisation to be registered in the State of Goa. The Petitioner's registration certificate and resolution are enclosed as **Annexure 1.** Undertaking that the petitioner will disclose the source of information leading to the filing of the PIL is annexed and marked as **Annexure 2.**

Particulars of the Respondents

4. The Respondent No. 1 is the Principal Chief Conservator of Forests and Chief Wildlife Warden for the State of Goa. The Resp. No. 2 is the Goa State Wildlife Board. The Resp. No. 3 is

the State of Goa. The Respondents No. 4, 5 and 6 are private Spice Farms/ Resorts in Goa.

5. The Respondent No 7, Wildlife Rescue and Rehabilitation Centre (WRRC), is a reputed Bangalore based organisation with two decades of experience in wildlife and elephant rescue, care and rehabilitation. WRRC works in close collaboration with the Karnataka Forest Department and has established the Bannerghatta Rehabilitation Centre (BRC), which is a model wildlife Rescue Centre built on land extended by the State Forest Dept. for the purpose. Based on its expertise, and long-standing working relationship with the forest department, WRRC has been handed custody of two captive elephants confiscated from the around the city of Bangalore who are housed in an elephant care facility in Malur, run by WRRC. In addition to this, WRRC is setting up an Elephant Care Facility in Kolar District, that will house captive elephants needing housing, care and treatment, and whose lawful custody has been handed over through permissions from the Karnataka Forest Department.

Declaration of the Petitioner

6. The Petitioner states that this petition is filed by way of public interest and the petitioner does not have any personal interest in the matter.

7. The Petitioner states that the entire litigation costs and other charges is being borne by the petitioner.

8. The Petitioner states that adequate research has been conducted in the matter raised through the petition and all relevant material has been annexed to the petition.

9. The Petitioner states that to the best of their knowledge and research the issues raised in the petition was not dealt with or decided and that a similar or identical petition was not filed earlier by the petitioner on the same matter either in this Hon'ble Court or in the Supreme Court of India.

10. The Petitioner states that this Hon'ble Court has jurisdiction to hear and decide this matter.

11. The Petitioner has understood that if in the course of hearing of this petition, the Court may require any security to be furnished towards costs or any other charges, the petitioner shall comply with such charges.

Facts constituting the cause

12. The Petitioner submits that for some years there were a total of 10 captive elephants in Goa, in the possession of the 3 spice farms/ resorts in South Goa, namely - M/s Jungle Book Resort (5 elephants), M/s Sahakari Spice Farm (3 elephants), and M/s Tropical Spice Plantation (2 elephants).

13. In December, 2018, all 10 elephants were seized by the Resp No. 1(C.W.W.) from the three spice farm resorts belonging to Resp. Nos. 4 - 6 for violation of the provisions of the Wildlife Protection Act, 1972. A copy of the seizure orders dated 18.12.2018 are enclosed as **Annexure 3.** Their physical custody however, remained with the resorts ostensibly as the Forest Department lacks the necessary infrastructure to keep 10 elephants. The Petitioner has no objection to this course of action given the practical and logistical realities involved. However, the Petitioner submits that in such a situation the Forest department is duty bound to remain vigilant and regularly monitor the wellbeing and welfare of the ten elephants, and to ensure that no commercial use is made of the elephants whatsoever.

14. Despite the seizure orders, the respondent resorts continued to use the elephants for commercial purposes (rides for tourists etc.), including their use at weddings and religious functions in different parts of the State. Hence the Petitioner approached this Hon'ble Court vide PIL WP No. 7/2020 in public interest for the overall welfare of 10 elephants. The PIL WP sought relief for these captive elephants from being compelled to perform and entertain tourists and people in general, both within and outside the premises they are currently held captive at. The Petitioner also sought an inspection of the elephants by a committee led by an Elephant Expert.

15. Vide order dated 02.11.2020, this Hon'ble Court appointed a committee to inspect the elephants led by Dr. Surendra Varma, Senior Scientist, Asian Elephant Research & Conservation Programme. This Hon'ble Court noted that "depending upon the result of the inspection, we are assured that the State Forest Authorities will take necessary steps to ensure the welfare of these elephants". By the same order, this Hon'ble Court recorded a statement made by the learned Advocate General that the respondent resorts have no right to use these elephants for commercial purposes, and also recorded categorical statements made by the counsel for

the Respondent Spice Farms that the elephants will not be used for any commercial purposes. Based on these assurances this Hon'ble Court disposed of the PIL WP. A copy of the order dated 02.11.2020 is enclosed as **Annexure 4.**

16. The Petitioner submits that shortly after the disposal of the petition, Dr. Surendra Varma, along with the two research assistants and one senior veterinary expert who he brought along with him, carried out a detailed and intensive inspection of all the elephants in the three spice farms, for three days / nights, from 9th to 11th December 2020. He subsequently submitted a detailed report in February 2021 titled "**Captive Elephants in Goa: The Past and Future**" to the Goa Forest Dept. Petitioner understands that a soft copy of the report was also shared with the Respondent Spice Farms. Petitioner craves leave to produce the full report, if necessary, as and when required. However, the relevant extract from the report pertaining to the 'Recommendations' is enclosed as **Annexure 5.**

17. During the inspection it was brought to the notice of the committee that one elephant each at the spice farms of Respondent 5 and 6 had expired, reportedly because of old age / ill-health and that a baby elephant was born in the spice farm of

Respondent No. 4. This places the total number of elephants presently in captivity in Goa at nine.

18. The Dr. Surendra Varma report clearly sought better living conditions for all the elephants in Goa but more particularly for the elephants at the premises of the Resp Nos 5 and 6 which were found to be severely deficient both in their living amenities as well as the upkeep of the elephants therein, while the farm of Resp No 4 was found to be more organized and providing facilities such as shelter, food, water, free range facility etc.

19. With respect to the solitary elephant at M/s Sahakari Spice Farm (Resp No 5), the report observes:

(i) Sahakari has a **poor** rating of welfare because of inadequate shelter type, water source, no opportunity for interaction; occurrence of stereotypical behaviour, no foraging opportunity, used for unnatural work type and health status maintenance through blood/urine/dung sampling was absent.

(ii) The makeshift shelter is not wide enough for the elephant (*Janimani*) to move around. Her movement is restricted to a 4X4 m area, as her

hind legs are chained with a rope for 19 hours a day. She is obese, has cracks on the nails of her hind legs, swelling of the abdomen - these are all visible warning signs of bad health. There is no facility for her to drink water voluntarily. She has to wait for the mahout to bring her a waterpipe.

(iii) ***Janimani* is in solitary confinement and intensely lonely. She needs to be with other elephants in a herd. Given her current status, and lack of good welfare measures available at the current location, she needs to be relocated and integrated with elephants from Jungle Book or Tropical Farm.**

20. With respect to the two elephants at M/s Tropical Spice Plantation (Resp No 6) the report observes:

(i) The male is sheltered in an area of 12X9 m, but a rope tied on three sides restricted its movement to 5X9 m. The female is allowed to interact with the male for 5 hours a day during activities such as walking and bathing. Continuously standing in the same place for 19 hours a day might lead to poor psychological wellbeing as also musculoskeletal disorders and arthritis. Overall welfare rating is **poor**; because of shelter and substrate type in shelter, male elephant was hobbled, both elephants

exhibited stereotypy, were not allowed to forage and records were not maintained.

(ii) Using the large space available with this farm, it is recommended to convert the entire elephant holding facility into a large pen, with elephants freely socializing and living in it, without being chained/tied to a rope all the time.

21. With respect to the 6 elephants at the Jungle Book (Resp No 4) the report observed that compared to the other two farms, this farm appeared to be more organised, providing facilities such as shelter, food, water, means to free range etc. Petitioner is therefore not seeking any reliefs at present against the Resp No 4, but has joined the Jungle Book as a respondent so that it is aware of the proceedings in this petition and the long term plans of the Forest Dept to rehabilitate the elephants as per the recommendations of the Dr. Surendra Verma Committee.

22. The long-term recommendations of the Dr. Surendra Varma Committee are as follows:

"The State Forest Department is recommended to develop a long-term management plan that

would guarantee safe and permanent welfare arrangements for the elephants. In the long term, the Forest Dept needs to develop a centre with necessary facilities so that all the elephants can be moved to a permanent location. The current custodians, welfare personnel, elephant scientists, responsible citizens and conservationists are to be considered as the support group and stakeholders for this arrangement."

23. Petitioner submits that as a responsible organisation interested in the welfare of the elephants, it has made efforts to assist the Forest Department to implement the recommendations of the Dr. Surendra Varma Committee. Petitioner has suggested that the State consider joint sector undertakings, with partnership between the forest department and expert agencies, such as are functioning successfully in Uttar Pradesh and Haryana (with Wildlife SOS). To this end, petitioner got in touch with Wildlife Rescue and Rehabilitation Centre (Respondent No. 7), a reputed Bangalore based organisation, with two decades of experience in wildlife and elephant rescue, care and rehabilitation, in case the Forest Dept is interested to collaborate with the WRRC.

24. Petitioner learns that the WRRC has expressed interest in setting up an Elephant Care Facility (ECF) in Goa as a joint sector undertaking with the Forest department. Some representatives from WRRC have had meetings with the Forest department, attempts to identify suitable land as a site for a new ECF have been made, and WRRC has submitted an official "Expression of Interest" to enter into an MoU to run and manage an Elephant Care Facility with the Forest Department.

25. However, these long-term remedies will undoubtedly take time to fructify. In the meanwhile the three elephants in need of urgent relief not only continue to remain in their same circumstances with the Resp Nos 5 and 6 Spice Farms, but the owners of the Resp Nos. 5 and 6 farms, have resumed the use of the elephants for commercial purposes i.e for joy rides, trunk bathing etc.

26. Petitioner was deeply distressed to learn via telephonic complaints received from locals and tourists that with the opening of the tourist season in Goa the Respondents Nos 5 and 6 have commenced elephant rides and trunk bathing for tourists, using the three elephants in their custody. By an email dated January 11th 2022,

the petitioner drew this to the attention of the Resp No 1 and requested him to take steps to stop commercial use of elephants at these two farms. Copy of the email of the Petitioner dated 11th January 2022 is enclosed herewith as **Annexure 6**.

27. However, from a range of pictures uploaded by tourists on their public social media accounts in the last month directly from Sahakari and Tropical Spice Farms, it can be seen that all three elephants are being used for rides and trunk baths. Clearly, the Resp No. 1 has not taken any action to stop the commercial use of the three elephants at these two farms. Copy of some recent pictures of tourists riding elephants and also enjoying a trunk bath are enclosed as **Annexure 7 Colly.**

28. The Petitioner states that Dr. Karlette Ann Fernandes, an animal welfare officer and veterinarian based in Goa, recently, on April 7th, 2022, visited the Sahakari Spice Farm (Respondent No 5) in order to verify the situation on ground. As per her Affidavit dated 21.04.2022:

    a. Elephant Janimani, (also referred to as Tejal), was used for rides by tourists.

b. The mahouts were charging Rs. 700 per person for a ride of 10 minutes.
c. The spice farm had many visitors and it can be assumed that many will opt for the elephant rides, in which case, Janimani may be giving rides for anywhere between 20-50 tourists in a single day.
d. The elephant looked obese, had no ready access to water, she had an open abscess, her nails were cracked and she was made to walk the tourists on the tar road, even in the noon sun.
e. The elephant looked visibly stressed and on an earlier round she had to be forced to continue with shouts and prodding and hits by a bamboo pole.

Copy of the Affidavit of Dr Karlette Ann Fernandes dt. 21.04.2022 is enclosed herewith as **Annexure 8.**

29. The Petitioner submits that the long term welfare of the elephants which involves enabling the elephants to live a natural way of life to the extent possible, can only begin if the arrangements for at least the three elephants in the custody of Respondents Nos. 5 and 6 are drastically altered. Petitioner is aware that both these respondents have difficulty in managing

the costs of maintenance and upkeep of the elephants. The Forest Dept also does not provide financial assistance to any of the farms for the upkeep of the elephants that are seized by the Forest Dept. However, lack of resources cannot be a justification to exploit the elephants. It is imperative therefore that Respondent No. 1 takes over the daily upkeep and management of the three elephants from Respondents Nos. 5 and 6.

30. Petitioner is aware that there will be serious financial costs on the Forest Dept to all of a sudden have to maintain the three elephants presently in the custody of Resp Nos 5 and 6. Fortunately however, the WRRC (Respondent No. 7) has expressed willingness to financially and technically support the cost, care, upkeep and management of these three elephants (having poor welfare record) for a period of two years, until the Forest Dept can make appropriate arrangements for an Elephant Care Facility. The WRRC has suggested that the three elephants be cared for at the farm of the Respondent No. 6 itself i.e at Tropical Spice Farm. Apparently, since the death of one of its female elephants in 2020, the Tropical Spice Farm has a spare elephant shed where elephant *Janimani* can be relocated, which will end her isolation. This arrangement may continue for an interim period

of at least two years, during which time all three elephants will be cared for jointly by Respondents Nos. 1 and 7 in accordance with the recommendations of the Dr. Surendra Verma expert committee. It is possible for the Resp No 1 to formulate a long term plan during this period to rehabilitate these three elephants and secure their future. It is for this reason that the petitioner has joined the WRRC as a respondent in this petition.

31. The Petitioner submits that considering the forest department is not taking any steps to rescue and rehabilitate at least the three elephants that continue to be exploited for commercial purposes despite a seizure order, leaves the petitioner with no other remedy but to approach this Hon'ble Court again for implementation of the recommendations made in the Expert Committee Report.

GROUNDS

32. The Petitioner therefore approaches this Hon'ble Court on the following grounds, among others:-

a) Elephants are categorized as Schedule I animals under the WLPA and are recognised as a National Heritage Animal.

The CWLW, after conducting a detailed investigation, has issued orders under provisions of Section 40(2), 42 and 43 of the WLPA to seize the 10 elephants that were in the possession of Resp Nos 4-6. However, despite the seizure of the elephants, the authority has been unable to ensure that the elephants are not subject to cruelty and commercial use.

b) The elephants are currently being used to entertain tourists by performing tricks that they have been trained to do using physical and barbaric means. They are poked and prodded with hooked sticks in order to make them subservient and comply with commands. The constant barrage of tourists who come to see these animals keeps them working and performing through the day with little or no break.

c) By an order dated 02.02.2016 in Writ Petition No. 743 of 2014, the Hon'ble Supreme Court has directed that the captive elephants of Goa must not be treated with any form of cruelty. Copy of the Hon'ble Supreme Court's order dt 02.02.2016 is at **Annexure 9.**

d) The Prevention of Cruelty to Animals Act further states that no person shall exhibit or train any performing animal unless he is registered in accordance with the provisions of this Chapter. Section 26 lays down the penalty and states if any person not being registered under this chapter, exhibits or trains any performing animal; he shall be punishable on conviction with fine which may extend to five hundred rupees or with imprisonment which may extend to three months, or with both. No penalties whatsoever have been imposed upon the Respondents who continue to violate the law with impunity.

e) Respondent no. 1 has taken cognisance of the fact the Resp nos. 4-6 have been in illegal possession of the elephants and are using them for commercial purposes. However, even after seizing the animals the respondent has not continued to monitor the welfare of the elephants or ensure that the commercial use of the elephants is stopped.

f) The elephants, once seized, are the responsibility of the Forest Department. It is wholly unjustifiable that the Forest

Department is unable to ensure that the animals in its custody are not subject to cruelty and are not used in violation of the law.

g) This Hon'ble Court had been assured that depending on the outcome of the inspection, necessary steps would be taken to ensure the welfare of the ten captive elephants. The Expert committee's inspection has found grave and important inadequacies and shortcomings in the living conditions of the elephants in the custody of Resp Nos 5 and 6. Further, the committee has given several pertinent recommendations to improve the overall welfare of the elephants that are in the legal possession of the Forest Department. The Forest Department is thus duty bound to implement these recommendations.

h) Such other and further grounds that may be urged at the time of hearing.

33. In the above circumstances, the Petitioner has no other alternate remedy but to file the present PIL petition. The Petitioner states that under the facts and circumstances, if this Hon'ble Court grants the prayers then there would be complete justice

to the Petitioner and to the society at large which it represents in public interest.

34. That the copies of the documents annexed to this petition are the true copies of the originals. The Petitioner craves leave to produce compilation of relevant documents if and when required.

35. The specified court fee of Rs. 250/ is paid herewith.

Source of Information

36. The Petitioner is relying on information received from independent investigations and news reports as cited.

Nature and extent of injury

37. Captive elephants in the possession of the Respondents No. 5 and 6 are put to commercial use and subjected to cruelty, and are forced to live in conditions adversely affecting their health and well being, in gross violation of the orders of this Court and the Hon'ble Supreme Court, as well as statutory provisions.

Representations made

38. The Petitioner brought to the notice of the Resp. No. 1 the fact of captive elephants being put to commercial use by the Resp. No.s 5 and 6, by

way of an email dt. 11.01.2022 [enclosed at **Annexure 6**].

Delay, if any in filing the petition

39. There is no delay in filing this petition.

Caveat

40. No notice has been received of lodging a caveat by the opposite parties.

Reliefs prayed for

41. The Petitioner is therefore approaching this Hon'ble Court for the following reliefs, among others:

a) For an order directing the Respondent No. 1 to set up an Elephant Care Facility as recommended by the Dr. Surendra Verma Expert Committee for the permanent welfare of the elephants seized by the Forest Department.

b) For an order directing the Respondent No. 1 to physically take into its custody the three elephants with Respondents

Nos. 5 and 6 and relocate them at a temporary Elephant Care Facility;

In the alternative,

c) for an order directing Respondent No. 1 to physically seize the solitary elephant Janimani from the Resp No 5 and relocate her at the farm of Respondent No. 6 in the spare elephant shed and make appropriate arrangements to provide care to her;

and

d) for an order directing Respondent No. 1 to make arrangements to improve the living conditions of the two elephants stationed in the farm of the Resp No. 6 as per the recommendations of the Dr. Surendra Varma Committee Report.

e) For an order directing Respondent No. 1 to submit a management plan for long term upkeep of the elephants in Goa as per the recommendations of the Dr. Surendra Varma Committee Report;

f) For costs of this petition;

g) Any other relief this Hon'ble Court may be pleased to grant in the facts and circumstances of this case.

INTERIM RELIEF

h) Pending final hearing of this petition for an order directing Respondents 5 and 6 to stop forthwith the use of the elephants in their farms for any commercial purpose, including but not limited to tourist rides, trunk baths, processions or parades;

i) Pending final hearing of this petition for an order directing Respondents No. 1 to physically seize the solitary elephant Janimani from the farm of the Respondent No. 5 and relocate her with the two elephants at Respondent No. 6 farm in the spare elephant shed and provide for her care and upkeep.

For the above reliefs the petitioner is truly grateful.

Place: Porvorim, Goa

Date:- 21st April 2022

Petitioner

IN THE HON'BLE HIGH COURT OF JUDICATURE
AT BOMBAY, GOA BENCH, AT PORVORIM

P.I.L. W.P. No. /2022

People for Animals – Goa ...Petitioner

v/s

The Principal Chief Conservator of Forests & Chief Wildlife Warden and Ors. ...Respondents

AFFIDAVIT IN SUPPORT OF THE PETITION

I, Norma Alvares, Indian National, President of the Petitioner organization above named, do solemnly state on oath as under:

1. I say that I have today filed a Writ Petition in public interest for the reliefs sought therein, which has been prepared under the instructions of the Petitioner.

2. I state that there is no personal gain, private motive or oblique reason in filing the PIL.

3. The petitioner is ready to pay costs as ordered by the Court, if it is ultimately held that the petition is frivolous or has been filed for extraneous consideration or that it lacks bonafides.

4. The petitioner shall disclose the source of its information, leading to the filing of the PIL, if and when called upon by the Court to do so.

5. That the contents of paragraphs 1(p), 2(p), 3-11, 12(p), 13-25, 26(p), 27, 28(p), 29(p), 30(p), 32(p), 33-40 of the accompanying petition are correct and true are true to the best of my knowledge and information collected by me from the Departments of Government and official gazettes / website / internet which I believe to be true, and the contents of paras 1(p), 2(p), 12(p), 26(p), 28(p), 29(p), 30(p), 31, 32(p), and 41 are my submissions made on legal advice which I believe to be true and correct. No part of it is false and nothing material has been concealed therefrom.

6. I say that the documents annexed are true copies of their originals.

Solemnly affirmed at Porvorim, Goa,
this the 21st Day of April 2022

Deponent

ANNEXURE 1

CERTIFICATE OF REGISTRATION

(See Rule 5)

(The Societies Registration Act, 1860)

(Central Act 21 of 1860)

Registered No. 46 /Goa/99

It is certified that the Society " PEOPLE FOR ANIMALS-GOA " ___

_____ has this day been duly registered

under the Societies Registration Act, 1860 (Central Act 21 of 1860)

Given under my hand this day of 12th March 1999.

P Sardessai

(P. V. S. SARDESSAI)
DISTRICT REGISTRAR
AND
HEAD OF NOTARY SERVICES
(INSPECTOR GENERAL-BY ORDER)

Govt. Pty. Press, Panaji-Goa - 688/10,000 -- 9/1999

Registration received till 11-06-2015
Dated 20-06-2011

Inspector General of Societies
/District Registrar (North Goa)
By Order

20/6/2011

Registration renewed till 11-06-2020
Dated 07-10-2015

Kolkata
7/10/2015

Inspector General of Societies
/District Registrar (North Goa)
By Order

Office of Inspector General of Societies
मुख्य महानिरीक्षक सोसायटीस कार्यालय
उत्तर गोवा, पणजी
North Goa, Panaji

Registration renewed till 11-06-2025
Dated 11-06-2020

11/06/2020

Inspector General of Societies
/District Registrar (North Goa)
By Order

People for Animals – Goa
Society Registration No 45/Goa/99
Recognised by Animal Welfare Board of India and Government of Goa as Animal Welfare Organization
Registered Address: G-8, St Britto's Apartments, Feira Alta, Mapusa 403 507 Goa, India Tel.: 2255479
Animal Shelters: ▶ Shantinagar Vasco Tel: 2532514. ▶ Curt, Ponda Tel. 2307920

Resolution for People for Animals – Goa

(Passed on 27/ 07 / 2021)

True Copy

It is hereby resolved to authorise the President, Smt. Norma Alvares, to approach appropriate judicial fora including the Hon'ble High Court of Bombay at Goa, in respect of matters for the furtherance of animal welfare, AND sign petitions and documents in relation thereto.

Certified Copy

Lakshmi Gonsalves

Secretary

ANNEXURE 2

IN THE HON'BLE HIGH COURT OF JUDICATURE AT BOMBAY, GOA BENCH, AT PORVORIM

P.I.L. Writ Petition No. /2022

People for Animals – Goa ...Petitioner

v/s

The Principal Chief Conservator of Forests & Chief Wildlife Warden and Ors. ...Respondents

UNDERTAKING IN SUPPORT OF THE PETITION

I, Norma Alvares, Indian National, President of the Petitioner organization above named, undertake that I will disclose the source of information leading to the filing of this Public Interest Litigation if and when called upon by the Court to do so.

Place: Porvorim, Goa

Date: 21.04.2022 Petitioner

ANNEXURE 3

[Typed copy at pgs. 41 - 46]

SEIZURE MEMO

Today on 15/12/2018 at about 13.45 hrs in the presence of the following witnesses namely

1. (Name of the witness) Shri Abdul Kadery Yasin son of Mohamed Kadery Yasin resident of Bazarwada Collem Goa (addresses of the witnesses)

2. (Name of the witness) Shri Mauro Misquita son of Paulo Misquita resident of Vira Talukha Goa address of the witnesses from Collem (place) from the possession of Elephant

a) (Name of the accused) Shri Sunil S Goankar son of Sopan Goankar resident of C/o Manager Bengli Bhoo Kelaut. Collem.

b) (Name of the accused) _____ son of _____ resident of _____

The following Wildlife articles have been recovered and seized vide this seizure memo

The seized items and their respective description are as under:-

1. Rekha (Female) Elephant MIC No. 956000004529159
2. Sujata (female) Elephant MIC No 956000004529114
3. Manik (male) Elephant MIC No 961001000002966
4. Montoxia (female) Elephant MIC No 961001000001085
5. Ashok (male) Elephant MIC No. 956000004529144

Name and Signature of Seizing /Investigating Officer

Thumb Impression /Signature of the accused

Name and Signature of the Witnesses

1. Shri Abdul K. Yasin

2. Shri Mauro Misquita

Before me.

Seizure panchnama

Today dated 15th December 2018 at 13.45 hrs at Bagalwada Colem, Collem Range of North Goa division search the premises of Shri Joseph Bosuillo Bearing H.no 515 of Colem Village named "Jungle Book Resort" in presence of the manager of Jungle Book Resort Shri Sunil Gaonkar with witness.

1. Shri Abdul Kadar R/o Bagalwada Collem Goa
2. Shri Mario Muguta R/o Verna Salcete Goa

and seized five captive Elephant which are in violation of Section 40(2), 42 and 43 of Wildlife (P) Act, 1972 which are/have been taken into the forest Custody under Section 50(1)(c) of W.L (P) Act 1972 and further deposited with the manager Shri Sunil Gaonkar on Surety Bond with No Conviction to take safe Custody of five captive Elephant i) Retha (Female) ii) Sujata (Female) iii) Manik (Male) iv) Mantasa (Female) v) Asmai (Male) and will produce Before the Chief Conservator Warden/Asst Forest officer/Range forest officer, Collem Range as and when Required By him in final Inquiry of the case

Before me

Witness

(Abdul Kadar)

(Sunil Gaonkar)
Manager Jungle Book Resort
P.O.A of Shri Joseph Bosuillo

Mario Mesquita

SEIZURE REPORT

1. Place:- Near Sahakari Sy. No:- ~~[illegible]~~ 76 Village:- Curti Taluka:- Ponda
   Date:- State farm Curti. 18/12/2018.
2. R.O.C. No:- 18/RFO/PON/2018-19 dt. 18/12/2018.
3. Ground for seizure:- Violation of wild life protection Act. 1972
4. Acts and Sections:- wild life protection Act. 1972 Sec 40(2), Sec (12), Sec 48.
5. Person from whom seized:- Shri Balaknath Gangnath Maharaj @ Babay Gangaram Shinde and Shri Bhagawan Gangaram Shinde R/o. At Post Ravalgao Tal Malegao Dist. Nashik Maharashtra.
6. Witness:- 1) Shri Tulshidas R. Sakarkar s/o. Shri Ramkrishna Sakarkar R/o Amarkhane Querim.

   2) Shri Ranganath M. Kunkolienkar. s/o. Shri Mahadev. Kunkolienkar R/o. Kunkolem Mandol Goa.

7. Action taken:- 2 Animals (Elephant) are seized and kept in possession with one zoulmoni female Elephat with Shri Bhagwan Gangaram Shinde & other female name Lukhimala with Bala Gangnath Maharaj @ Shri Baban Gangaram Shinde

Than above mentioned ~~2~~ female Elephant were seized in accordance with the provisions of the law in the presence of the above said witnesses and copy of the seizure form was given to the person from whom seized.

The following 2 female Elephant. were seized ~~and sealed~~ before the above witnesses and signature of these witnesses has been obtained ~~on~~ the packet attached.

Sr. No.	Name of Animal	Male / Female
1.	Zoulmoni	Female.
2.	Lukhimala.	Female.

Witness – 1 Shri Tulshidas R. Sakarkar.

Signature

Witness – 2 Shri Ranganath M. Kunkolienkar

Signature of the Investigation Officer

Name:- Ramnumant F. Dessai

Rank:- Round Forester Ponda

Signature

38

SEIZURE MEMO

Today on (date) 18/12/2018 at about (time) 4.00 Pm. in the presence of the following witnesses namely

1. (Names of the witness) Shri Tulshidas R. Sabarkar
   Son of Shri Ramkrishna Sabarkar resident of Amarkhane Querim.
   (address of the witnesses)

1. (Names of the witness) Shri Rangnath M. Kantolkenkar.
   Son of Shri Mahadev Kantolkenkar resident of Kantolkeny Mardol. Goa.
   (address of the witnesses from _____
   (Place) _____ from the possession of

a) (Name of the accused) Shri Balaknath Gangaram Mahanj son of Shri Bahan Gangaram Shinde resident of At Post Ravalgao Taluka Malegao Dist. Nashik Maharashtra

b) (Name of the accused) Shri Bhagwan Shinde son of Gangaram Shinde resident of At Post Ravalgao Taluka Malegao Dist. Nashik Maharashtra

The following Wildlife articles have been recovered and seized vide this seizure memo.

The seized items and their respective description are as under:-

2 Animals Elephant

1. Zonimoni female
2. Lukkimala female.
3.

Name and Signature

Of seizing / Investigating Officer

Thumb Impression / Signature

Of the accused

Name and Signature of the Witnesses

1 Shri Tulshidas R. Sabarkar.

2 Shri Rangnath M. Kantolkenkar.

Dipak
Range Forest Officer
Mollem Wildlife Division
Round-forester Ponda

SEIZURE REPORT

1. Place:- Arla Querim Sy. No:- 149/3 Village:- Querim Taluka:- Ponda.
   Date:- 18/12/2018.
2. R.O.C. No:- 17/RFO/PON/2018-19 dt. 18/12/2018.
3. Ground for seizure:- Violation wild life protection Act 1972
4. Acts and Sections:- Wild life protection Act. 1972, Sec 10(2), Sec(42) & Sec
5. Person from whom seized:- Shri. Rohidas Baburao ~~Shah~~ Satarkar.
   H/o. H.No. A-14 Arla Queri Ponda.
6. Witness:- 1) Shri Tulsidas. R. Satarkar. H/o. Amarkhane querim.

   2) Shri Raugnath M. Kuncolrenkar. H/o. Kuncolrem. Nardol Goa.
7. Action taken:- 3 Animals (Elephant) are Seized. and kept in possession with Shri Rohidas Baburao. Satarkar. H/o H.No. A-14 Arla Querim Ponda

Than above mentioned Elephant (3 nos.) were seized in accordance with the provisions of the law in the presence of the above said witnesses and copy of the seizure form was given to the person from whom seized.

The following Animal Elephant 3 nos. were seized ~~and seized~~ before the above witnesses and signature of these witnesses has been obtained ~~on the~~ packet attached.

Sr. No.	Name of Animal	Male/female.
1.	Babu	male.
2.	(Laxmi kumari) @ Laxmi kanari.	female.
3.	Manki @ chauchal	female

Witness - 1 Shri Tulsidas R. Satarkar. (Amarkhane)

Signature

Witness – 2 Shri Raugnath M. Kuncolrenkar.

Signature

Signature of the Investigation Officer

Name:- Hanumant Dessai

Rank:- Round-forester Ponda

40

SEIZURE MEMO

On (date) 18/12/2018 at about (time) 11.00 hrs in the presence of the following witnesses namely

1. (Names of the witness) Shri Tulshidas R. Satarkar.
Son of Shri Ramkrishna Satarkar resident of Amarkhane Querim.
(address of the witnesses)

2. (Names of the witness) Shri Rangnath M. Kamotrekar.
Son of Shri Mahadev Kamotrekar resident of Kamotrem Mardol Ponda.
(address of the witnesses from _____
(Place) _____ from the possession of.

a) (Name of the accused) Shri Rohidas Baburao Satarkar son of Shri Baburao Satarkar resident of H-14 Arla Queri Ponda Goa.

b) (Name of the accused) _____ son of _____
_____ resident of _____

The following Wildlife articles have been recovered and seized vide this seizure memo.

The seized items and their respective description are as under:-

3 Animals Elephant.

1. Babu – Male.
2. Laxmikumari – female.
3. Manki @ chandni – female.

Name and Signature
Of seizing / Investigating Officer

Rohidas B Satarkar
Thumb Impression / Signature
Of the accused

Name and Signature of the Witnesses

1 Shri Tulshidas R. Satarkar.

2 Shri Rangnath M. Kamotrekar.

D.N.Gad R.F.O
Range Forest Officer
Ponda

SEIZURE MEMO

Today on 18.12.2018 at about 13.45 hr in the presence of the following witnesses namely

1. Name of the witness Shri Abdul Kadar Yasin son of Mohammed Kadar Yasin resident of Bazarwada Collem Goa (addresses of the witnesses)
2. Name of the witness Shri Mario Misquita son of Paulo Misquita resident Verna Salcette Goa addresses of the witnesses from Collem (place) ____ from the possession of elephant

a. (Name of the accused) Shri Sunil S. Gaonkar son of Sopan Gaonkar resident of c/o Manager Jungle Book Resort Collem

b. (Name of the accused) _____ son of _____ resident of _____

The following wildlife articles have been recovered and seized vide this seizer memo.

The seized items and their respective description are as follows:

1. Rekha (female) Elephant MIC No. 956000004529159
2. Sujata (female) Elephant MIC No. 956000004529114
3. Manik (male) Elephant MIC No. 961001000002966
4. Montora (female) Elephant MIC No. 961001000001085
5. Anmol (male) Elephant MIC No. 956000004529144

Sd/-

Name and Signature

Of Seizing / Investigating Officer

Name and Signature of the Witnesses

1. Shri Abdul K. Yasin
2. Shri Mario Misquita

Seizure / Panchnama

Today dated 18th December 2018 at 13.45 hr at Bazarwada Collem, Collem Range of North Goa Division search the premises of Shri Jospehn Baretto bearing Sy. No. 58/5 of Collem village named "Jungle Book Resort" in presence of the manager of Jungle Book Resort Shri Sunil Gaonkar with witness.

1. Shri Abdul Kadar r/o Bazarwada Collem Goa
2. Shri Mario Misquita r/o Verna Salcette Goa

And seized five captive elephant which are in violation of Section 40 (2), 42 & 43 of Wildlife (P) Act 1971 which are / have been taken into the forest custody under Section 50 (1) (c) of W.L. (P) Act 1972and further deposited with the Manager Shri Sunil Goankar as surety bond with the condition to take the custody of five captive elephants 1. Rekha (female), 2. Sujata (female), 3. Manik (male) , 4. Montora (female), 5. Anmol (male)and will produce before the Chief Wildlife Warden / Authorised officers/Range Forest officer, Collem Range as and when required by the final inquiry of the case.

Sd/-

(Sunil Goankar)
Manager Jungle Book Resort
PDA Shri Joseph Baretto

SEIZURE REPORT

1. Place: Near Sahakari Spice Farm Curti Sy. No. 76 Village Curti Taluka Ponda
   Date: 18.12.2018
2. R.O.C. No. 18/RFO/PON/2018-19/ dt 18.12.2018
3. Ground for seizure : Violation of Wildlife Protection Act 1972
4. Acts and Sections: Wildlife Protection Act 1972
   Sec 40(2), Sec 42, Sec. 43.
5. Persons from whom seized: Shri Balaknath Ganganath Maharaj @ Baban Gangaram Shinde and Shri Bhagwan
   Gangaram Shinde r/o At post Ravalgao
   Taluka Malegaon Dist Nashik Maharashtra
6. Witness: 1. Shri Tulshidas R. Satarkar s/o Shri Ramkrishna Satarkar r/o Amarkhane Querim
   2.Shri Raganath M. Kuncolienkar s/o Shri Mahadev Kuncolienkar r/o Kuncoliem Mardol Goa
7. Action Taken: 2 Animals (Elephant) are seized and kept in possession with one zonimoni female elephant with Shri Bhagwan Gangaram Shinde and other female name Lukhimala with Balaknath Ganganath Maharaj @ Shri Baban Gangaram Shinde

Than above mentioned 2 female elephants were seized in accordance with the provisions of the law in presence of the above said witnesses and copy of the seizure form was given to the person from whom seized.

The following two elephant5 were seized before the above witnesses and the signature of these witnesses has been obtained

Sr. No.	Name of the Animal	Male/female
1	Zonimoni	Female
2	Lukhimala	Female

Witness 1. Shri Tulshidas R. Satarkar

Signature

Witness 2. Shri Ranganath M. Kuncolienkar

Sd/-

Signature of the Investigation Officer

Name: Hanumant F. Dessai

Rank: Round Forester Ponda

SEIZURE MEMO

Today on 18.12.2018 at about ((time) 4.00 p.m. in the presence of the following witnesses namely

1. Name of the witness Shri Tulshidas R. Satarkar son of Shri Ramkrishna Satarkar resident of Amarkhane Querim (addresses of the witnesses)\
2. Name of the witness Shri Raganath M. Kuncolienkar son of Shri Mahadev Kuncolienkar resident of Kuncoliem Mardol Goa addresses of the witnesses from _____(place) ____ from the possession of

a. (Name of the accused) Shri Shri Balaknath Ganganath Maharaj son of Baban Gangaram Shinde resident of At Post Ravalgao Taluka Malegao Dist Nasik Maharashtra
b. (Name of the accused) Shri Bhagwan Shinde son of Gangaram Shinde r/o At post Ravalgao Taluka Malegao Dist Nasik Maharashtra

The following wildlife articles have been recovered and seized vide this seizer memo.

The seized items and their respective description are as follows:

2 Animals Elephant

1. Zonimoni Female
2. Lukhimala Female

Name and Signature

Of Seizing / Investigating Officer

Thumb impression / Signature

Of the accused

Name and Signature of the Witnesses

1. Shri Tulshidas R. Satarkar
2. Shri Raganath M. Kuncolienkar

Sd/-

Hanumant R.F. Desai

Round Forester Ponda

SEIZURE REPORT

1. Place: Arla Querim Sy. No. 149/3 Village Querim Taluka Ponda
   Date: 18.12.2018
2. R.O.C. No. 17/RFO/PON/2018-19/ dt 18.12.2018
3. Ground for seizure : Violation of Wildlife Protection Act 1972
4. Acts and Sections: Wildlife Protection Act 1972
   Sec 40(2), Sec 42, Sec. 43.
5. Persons from whom seized: Shri Rohidas Baburao Satarkar r/o H.No. A-14 Arla Querim Ponda
6. Witness: 1. Shri Tulshidas R. Satarkar r/o Amarkhane Querim
   2.Shri Raganath M. Kuncolienkar r/o Kuncoliem Mardol Goa
7. Action Taken: 3 Animals (Elephant) are seized and kept in possession with Shri Rohidas Baburao Satarkar r/o H.No. A-14 Arla Querim Ponda

Than above mentioned 3 elephants were seized in accordance with the provisions of the law in presence of the above said witnesses and copy of the seizure form was given to the person from whom seized.

The following animal elephant 3 nos were seized before the above witnesses and the signature of these witnesses has been obtained

Sr. No.	Name of the Animal	Male/female
1	BAbu	Male
2	Laxmi Kumari	Female
3	Maniki Chanchal	Female

Witness 1. Shri Tulshidas R. Satarkar

Signature

Witness 2. Shri Ranganath M. Kuncolienkar

Sd/-

Signature of the Investigation Officer

Name: Hanumant F. Dessai

Rank: Round Forester Ponda

46

SEIZURE MEMO

Today on 18.12.2018 at about |(time) 11.00 a.m. in the presence of the following witnesses namely

1. Name of the witness Shri Tulshidas R. Satarkar son of Shri Ramkrishna Satarkar resident of Amarkhane Querim (addresses of the witnesses)
2. Name of the witness Shri Raganath M. Kuncolienkar son of Shri Mahadev Kuncolienkar resident of Kuncoliem Mardol Goa addresses of the witnesses from _____(place) ____ from the possession of

a. (Name of the accused) Shri Rohidas Baburao Satarkar son of Shri Baburao Satarkar resident of A-14 Arla Querim Ponda
b. (Name of the accused) _____ son of _____ r/o _____

The following wildlife articles have been recovered and seized vide this seizer memo.

The seized items and their respective description are as follows:

3 Animals Elephant

1	BAbu	Male
2	Laxmi Kumari	Female
3	Maniki Chanchal	Female

Name and Signature

Sd/- Of Seizing / Investigating Officer

Rohidas B Satarkar

Thumb impression / Signature

Of the accused

Name and Signature of the Witnesses

1. Shri Tulshidas R. Satarkar
2. Shri Raganath M. Kuncolienkar

Sd/-

Hanumant R.F. Desai

Round Forester Ponda

ANNEXURE 4

IN THE HIGH COURT OF BOMBAY AT GOA

PIL WRIT PETITION NO. 7 OF 2020

WITH

LD-VC-OCW NO. 134 OF 2020
IN

PIL WRIT PETITION NO. 7 OF 2020

Peoples for Animals, Goa

Through its President, Ms.
Norma Alvares, Having its
office at G-8, St. Brittos Appts,
Feira Alta, Mapusa 403 507 .... Petitioner

V/s.

1 Principal Chief Conservator of
Forests Chief Wildlife Warden
(PCCF/CWW) Gomantak
Maratha Samaj Building,
Panjim, Goa 403 001.

2 The Goa Wildlife Board

Through its Member Secretary,
the PCCF/CWW At

Gomantak Maratha Samaj
Building, Panjim, Goa 403
001.

3 The State of Goa

Through its Chief Secretary
Assembly Complex, Porvorim
Goa

4 M/s. Jungle Book Resort
Bazarwado, Kulem,
Sharbandora, Colem, Goa 403
410

5 M/s. Sahakari Spice Farm
Ponda Belgaum Highway,
Curti, Ponda, Goa 403 001

6 M/s. Tropical Spice Plantation
H.No. A-14, Arla Bazar Keri,
Ponda, Kerim, Goa 403401

7 M/s. Sahyadri Spice Farm,
Piklewadi, Collem, Goa 403
410. ..... Respondents

Ms. Anamika Gode, Advocates for the petitioners/ Applicants.

Mr. D. Pangam, Advocate General with Mr. P. Arolkar, Additional Government Advocate for the Respondent nos. 1, 2 and 3.

Mr. Vivek Rodrigues, Advocate for the Respondent no. 4.

Mr. A.D. Bhobe, Advocate for the Respondent no. 5.

Mr. A. Gosavi, Advocate for the Respondent no. 6.

CORAM : M.S. SONAK &
SMT. M.S. JAWALKAR, JJ.

DATE : 2ND NOVEMBER,2020.

ORAL JUDGMENT: (*PER M. S. SONAK, J.*)

Heard Ms. Anamika Gode, learned Counsel for the petitioners/applicants, Mr. Pangam, learned Advocate General for the respondent nos.1, 2 and 3, Mr. Rodrigues, learned Counsel for the respondent no.4, Mr. Bhobe, learned Counsel for the respondent no.5 and Mr. Gosavi, learned Counsel for the respondent no.6.

2. We issue a Rule in this petition. With the consent and at the request of the learned Counsel for the parties we make Rule returnable forthwith.

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3. This is a PIL seeking following substantive reliefs :

(a) For an order by this Hon'ble Court directing Respondent no.1 to ensure that the commercial use of the elephants seized by the Forest Department vide Order dated 18/12/2018 is stopped forthwith;

(b) For an order by this Hon'ble Court directing Respondent no.1 and 2 to depute a large – animal Veterinarian along with a Forest Warden to do monthly reports on the upkeep and well being of the elephants;

4. In this PIL, the petitioners have taken out an application seeking following interim directions:

(i) For an order directing Respondent no.1 to conduct an inspection of all ten captive elephants in

Goa along with the petitioner, and the same may be repeated after a gap of four months;

(ii) For an order permitting a large-animal veterinarian/ elephant expert scientist to participate in the proposed joint inspection to technically assess the overall welfare of all ten elephants.

(iii) For any other reliefs this Hon'ble Court may be pleased to grant in this matter.

5. This petition basically concerns about 10 elephants presently in the custody of respondent nos.4, 5 and 6. The petition alleges that even though the State Forest Authorities have issued necessary orders for seizure of such elephants, the custody of such elephants continues with the respondent nos.4,5, and 6. The petition also expressed apprehensions about the possible use of these elephants for commercial

purposes, despite the seizure orders made by the State Forest Authorities.

6. The learned Advocate General submits that it is true that seizure orders have been made in this matter by the State Forest Authorities. He points out that the respondent nos.4, 5, and 6 have been permitted to retain the custody of the elephants, so that they are fed and maintained properly. He points out that the respondent nos.4, 5 and 6 have no right to use these elephants for commercial purposes. He points out that the State Forest Authorities have inspected the premises of the respondent nos.4, 5, and 6 and they found these elephants were not being used for any commercial purposes.

7. The learned Counsel for the respondent nos.4 ,5 and 6, on the basis of the instructions, state that the elephants are not being used for any commercial purposes and there is no

proposal to use these elephants for any commercial purposes like rides etc.

8. Mr. Bhobe, learned Advocate for the respondent no.5 points out that the Mahout of the elephant who is the actual owner of the elephants, who are presently in the premises of the respondent no.5.

9. According to us, now that it is clear that these elephants are not used for any commercial purposes and further, the learned Counsel appearing for respondent nos. 4,5 and 7, on the basis of the instructions, have also stated that the same will not be used for any commercial purposes, the main relief applied for in this petition, stands substantially redressed.

10. In the application for interim relief/directions, the petitioners seek an order of directing the respondent no.1 to conduct inspection of all the ten elephants by involving the petitioners as well, with the inspection. The petitioners also

seek an order permitting the large-animal veterinarian/elephant expert scientist to participate in the inspection to technically assess the overall welfare of all ten elephants. Along with the application, the petitioners have annexed a communication dated 29/11/2020 received from Surendra Varma, Senior Scientist, Asian Elephant Research and Conservation Centre (ANCF). This states that the said expert is willing to come along with his team to inspect the ten captive elephants at their own cost.

11. The learned Advocate General states that the Goa State Forest Officials, neither have any objection to holding of inspection nor the association of ANCF in such inspection. The learned Counsel for the respondent nos.4,5 and 6 also state that they have no objection to inspection of this nature.

12. Accordingly, we direct the State Forest Authorities to inspect the ten captive elephants at the earliest and further,

associate ANCF and its Senior Scientist Surendra Varma and his team in such inspection. The State Forest Authorities and ANCF to work out the modalities of this inspection including date, time etc. In case any representative of the petitioners wish to remain present for such inspection, liberty is granted. Representatives of the respondent nos.4,5, and 7 are also, naturally, permitted to remain present for such inspection. This entire exercise had to be concluded as early as possible, and in any case, within two months from today. Depending upon the result of the inspection, we are assured that the State Forest Authorities will take necessary steps to ensure the welfare of these elephants.

13. We make it clear that ANCF is associated for the inspection or in future inspections of these captive elephants at their own cost and expenses. This means that neither the State Forest Authorities nor the respondent nos.4, 5, and 6 will be

required to make any contribution towards such inspections at least for the present.

14. We appreciate the reasonable approach on the part of all concerned in this matter. In particular, we appreciate that the respondent nos.4,5, and 6 have not treated this matter as an adversarial litigation and have assured this Court that they too have interest in securing the welfare of the elephants.

15. We dispose of the Rule in this petition in the aforesaid terms. The miscellaneous application is also disposed of. There shall be no order as to costs.

16. All concerned to act on the basis of the authenticated copy of this order.

SMT. M.S. JAWALKAR, J. M.S. SONAK, J.

MV

ANNEXURE 5

Extract of Dr. Surendra Varma Committee Report on Captive Elephants in Goa, dt. 16.02.2021

Summary of the Findings of Inspection dated 9th, 10th, 11th December directed by High Court of Goa order dated 2nd November 2020.

In Public Interest Litigation (PIL) 7 of 2020, *People for Animals*, Goa (PFA) had sought an end to the commercial use of the captive elephants of Goa. By order dated 2nd November 2020, the Hon'ble Goa High Court directed an inspection to be conducted by a team of experts led by Shri Surendra Varma, Senior Scientist, Asian Elephant Research and Conservation Programme - ANCF, Member IUCN/Asian Elephant Specialist Group, Member of the Central Project Elephant Monitoring Committee (CPEMC), Ministry of Environment Forests and Climate Change (MoEF&CC) Government of India.

The Court further directed that based on the result of the inspection, the Forest Department must take necessary steps to ensure the welfare of the elephants in Goa. Below are point-wise, observations,summary and recommendations of the detailed scientific report.

1. **Sahakari Farm, Ponda:**
   A. Lakhimala (54): was deceased.
   B. Janimani, Female(34)
      i. Elephant movement was restricted to only to 4X4m area as her hind legs are chained with a rope for 19 hours a day.
      ii. The make-shift shelter also did not provide adequate shade and was not wide enough for the animal to move around.
      iii. Water is offered through a water pipe. There is no auditory or visual cue to trigger the elephant to drink voluntarily. This makes the elephant stay thirsty, waiting for the mahout, which is observed by its reaction of eagerness and rushing behaviour towards the mahout with water pipe.
      iv. The elephant was fed six species of fodder and cut plants and 2 grain-based cooked food, with no other variation throughout the year.
      v. She is obese, has cracks on two nails in her hind leg, swelling at both side of the abdomen, cuticle growth on 18 digits. These are all visible warning signs of bad health.
      vi. The animal is made to walk on tarred roads most of the time and does not get to free range.
      vii. There is no interaction with any other elephants from other farms at any time of the year,. Lack of such interactions is known to create many mental health issues.
      viii. Stereotypic[1] behaviour like swaying, foot lifting and trunk swinging was also recorded which is a behaviour exhibited due to stress, boredom, social isolation etc.
      ix. For a social and intelligent species which constantly moves while foraging—standing, feeding, resting and sleeping in the same place for 19 hours a day will affect their psychological and physical well-being, coupled with isolation and intense confinement.
      x. Janimani appeared to be used for work like blessing at marriages, temple work, and joy rides. It was noticed that there were visitors parking close to elephant shed to visit the animal. Safari equipment like howdah and cushioning materials were

[1]Stereotypies are repetitive or ritualistic movement, posture, or utterance.

also observed to be kept at the mahouts' room which confirmed the use of this elephant for joy rides.

C. Sahakari Welfare Rating:
   i. Observed rating of 30 at 55% deviation from Expert Rating standards.
   ii. Sahakari has a poor rating of welfare because of inadequate "*shelter type, water source, no opportunity for interaction; occurrence of stereotypical behaviour, no foraging opportunity, used for unnatural work type and health status maintenance through blood/urine/dung sampling was absent.*"

D. Recommendations:
   i. Janimaniis in solitary confinement and intensely lonely. She therefore needs to be with other elephants in a herd.
   ii. She needs to go for walks in a natural environment, on a suitable surface, exposed to a range of foraging opportunity, play and interact with other elephants.
   iii. Given her current status, and lack of good welfare measures available at the current location (55% deviation from the natural conditions), she needs to be relocated and integrated with elephants from Jungle Book or Tropical Farm.

2. Tropical Spice Farm, Ponda:
   A. Lakshmi Kumari (70): deceased
   B. Babu, Male (69): (was in musth during the inspection)
      i. **He suffers from wounds due to close and tight shackling andovergrown cuticlesnoticed in 18 digits.**
   C. Chanchal, Female (54)
      i. **She suffers from obesity, swelling at hind leg knee, cuticle overgrowth in 18 digits along with interdigital overgrowth.**
      ii. Though the elephant is sheltered in an area of 12X9meter, it is tied on 3 sides with a rope limiting its movement to 5X9meter area
      iii. Stereotypic behaviour like swaying, foot lifting and trunk swinging was also recorded which are exhibited due to stress, boredom, social isolation etc.
      iv. Continuously standing for 19 hours in the same place for feeding and resting might not only lead to poor psychological well-being and stereotypies but also lead to musculoskeletal disorders and arthritis.
      v. As the elephant is tied for long duration, inflammation and wounds around the tied region of hind leg was observed. This acts as potential passage for pathogens.
      vi. She is allowed to interact with the male for only 5 hours a day during activities such as walking and bathing. However, as male elephant is currently in musth, no interaction is allowed between the two elephants.
   D. Tropical Welfare Rating:
      i. Observed rating of 29-30 at 51% deviation from Expert Rating standards.
      ii. Overall welfare rating is poor; because ofshelter and substrate type in shelter, male elephant was hobbled, both elephants exhibited stereotypy, were not allowed to forage and records were not maintained.
   E. Recommendations:
      i. Elephants kept here are tied up for long hours, both elephants have stereotypical behaviour and the farm does not have free range opportunity for elephants.

ii. Using the large space available with this farm, it is recommended to convert the entire elephant holding facility into a large pen, with elephants freely socializing and living in it, without being chained/tied to a rope all the time.

3. Jungle Book, Collem:Compared to the other two farms, this particular farm appeared to be more organized, providing facilities such as shelter, food, water, means to free range etc. However, the land used for free ranging appeared to be under private holding and the same may not within the control of the owner. This may question the long term sustenance and availability for elephants for their free ranging purpose. No stereotypies were observed for female elephants and the young elephant of Jungle Book Farm. Welfare rating for Jungle Book Resorts showed less deviation from Expert Rating as their facility provided near natural conditions.
   A. Individual Elephants:
      a. Manik, Male (53): (was in musth during the inspection)
      b. Rekha
         i. Elephant Rekha is always alone ; she does not have nteractions with other elephants. In fact, she exhibits conflict with other females.
         ii. She has dried skin tissues with hind knee problems.
      c. Sujatha
         i. Sujatha has dried skin tissue with hind knee problems.
      d. Aromal
         i. Exhibited stereotypic behaviour in shelter in the morning hours.
         ii. He is exposed to female elephants for 14 hours every day. He is observed to be in close distance to the females constantly exploring their genitals, rubbing their bodies, and poking them with the tusks. This continuous exposure leads to an interest in recreational mating which is not seen in the wild. This is known to have many negative effects and affects many of his welfare conditions.
      e. Montora
         i. Montora has nail cracks on 2 nails in hind legs and cataract in left eye.
      f. Dumbo: (Born at Jungle book in 2019, from Aromal and Sujatha.)
         i. The calf has to be trained as it is observed to get playful and often pushes people. This young animal has no other members to play with unlike in the wild, it is expected to display behavioural issues at a later stage.
         ii. Calf welfare is very crucial and the same has to be done for long duration as the life span of an elephant is averaged at approximately 60 - 70 years. This necessitates a plan for next sixty years of captive elephant welfare in the state by the concerned authorities.

4. Recommendations:
   A. *Immediate:*
      i. **Unrestricted movement is an absolute necessity in providing good welfare conditions; if individuals do not form a cohesive group, I-Beam fenced *enclosures with sufficient space have to be provided so that they can interact* visually and audibly across a distance.**
      ii. Elephants, the extent possible, must live a chain free existence, with opportunity to display their natural behaviours.
      iii. Foraging opportunity needs to be provided with care taken to include a balanced nutrition— foraging is both a psychological stimulant and a physical exercise.

iv. Male Elephants in*musth*should be kept in a special*musth* enclosure, which has a large space, facilities and free from chaining or restraining.
v. All enclosures must include provision of natural shelter conditions such as varied substrates (soil, occasional hard substrates) that ensure healthy foot conditions—trimmed nails, soles that enable traction— are maintained.
vi. Presence of canopy cover provides shade as required by the elephants as opposed to sheds which may be restrictive in their accessibility to the animals.
vii. Running water sources such as streams are ideal as they prevent contamination. In the absence of such facilities, the alternative would be to provide several water sources across the facility and ensure hygiene is maintained
viii. Walking elephants on roads or stone surfaces leads to cracked soles and infections. This also may lead to inflammation of joints. The shelter has to provide natural substrates which not only ensures feet health and have provision for the elephants to express natural behaviours such as dust bathing and wallowing.
ix. Social interaction among unrelated individuals, especially female elephants, revolves around dependent young; using the calf as a focal point, females can be encouraged to form a cohesive herd

B. ***Short Term:***
i. Jungle book is recommended to increase the space and improve the facility provided to the elephants during the night hours or when elephants come after free ranging to their shelter. Elephants from other two farms may be brought together in this facility, as this facility is providing many of the required welfare standards and also showing relatively good welfare rating.

C. ***Long Term:***
i. The State Forest department is recommended to develop a long-term management plan that would guarantee safe and permanent welfare arrangements for the elephants. In the long term, the Forest Department needs to develop a centre withnecessary facilities, so that all the elephants can be moved to a permanent location. The current custodians, welfare personnel, elephant scientists, responsible citizens and conservationists are to be considered as the support group and stakeholders for this arrangement.

I hereby certify that the content of the summary findings are extracts of the final report, I developed and submited to the Hon'ble Goa High court, based on the direction I received from the Court.

(Surendra Varma)

ANNEXURE 6

Gmail

Fwd: Elephant Rehabilitation

From: "Norma Alvares (PFA)" <pfagoa@gmail.com>
Date: 11 January 2022 at 11:07:55 IST
To: Santosh Kumar <apccf.goa@gmail.com>
Cc: Alok Gupta <galok2005@gmail.com>
Subject: Elephant Rehabilitation

Mr. Santosh Kumar
Chief Wild Life Warden,
Swami Vivekanand Road,
Panaji, Goa 403001

Subj: Commercial Exploitation of Elephants by Sahakari Farm and Tropical Spice Plantations

Dear Mr. Santosh Kumar,

I am writing to you in continuation of our ongoing correspondence on measures for the welfare of captive elephants in Goa.

We have received several complaints from local activists and tourists, that despite several high court and supreme court orders as well as undertakings of the owners of Sahakari Spice Farm and Tropical Spice Plantation, elephant rides have surreptitiously resumed at both these venues.

The Forest Dept has already seized these elephants in December 2018, and is therefore *responsible for their management while in your custody. No commercial use of them for* entertainment is permitted. The best solution is for the forest department to take the elephants away from the two custodians and house them in a dedicated Elephant Care Facility (ECF), ideally within Goa itself.

Our discussions with you to establish an ECF have admittedly been positive but have reached a stalemate, as we await the MOU from the Forest Dept. Karnataka with WRRC (the Bangalore based NGO who has expertise in elephant care). We hope that this situation will be resolved soon in the light of recent communications received by us from WRRC.

In the interim, we kindly request you to take the following steps on an urgent basis:

i. Please investigate this complaint immediately and depute forest wardens to permanently stop the use of three elephants in Sahakari and Tropical Spice Farms for entertainment.

ii. If the two spice resorts are raising issues about maintenance of the animals in the absence of entertainment programmes which sustain them, kindly examine setting up a temporary facility to house them – maintenance funds for which WRRC has offered to provide in the Expression of Interest which they have submitted to the Forest Dept in 2021.

We thank you for your visionary support in ensuring the welfare of the elephants and urge you to take swift, necessary action, especially as we do not wish Jungle Book to also resume elephant rides and entertainment, seeing that no action is being taken against the other two spice resort farms.

Kind Regards,

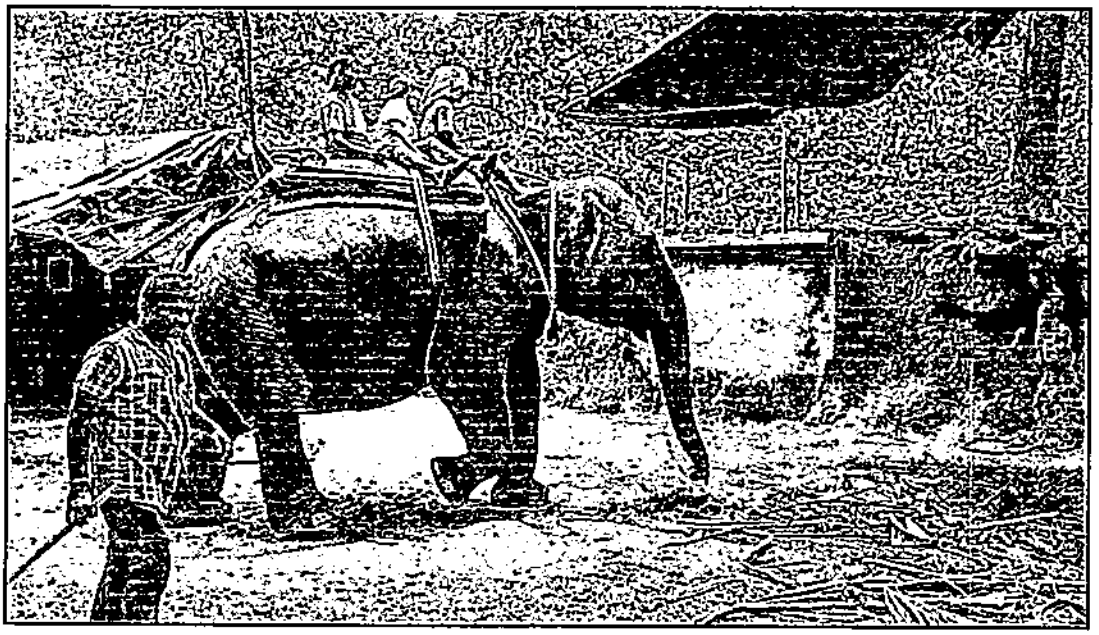
Ms. Norma Alvares

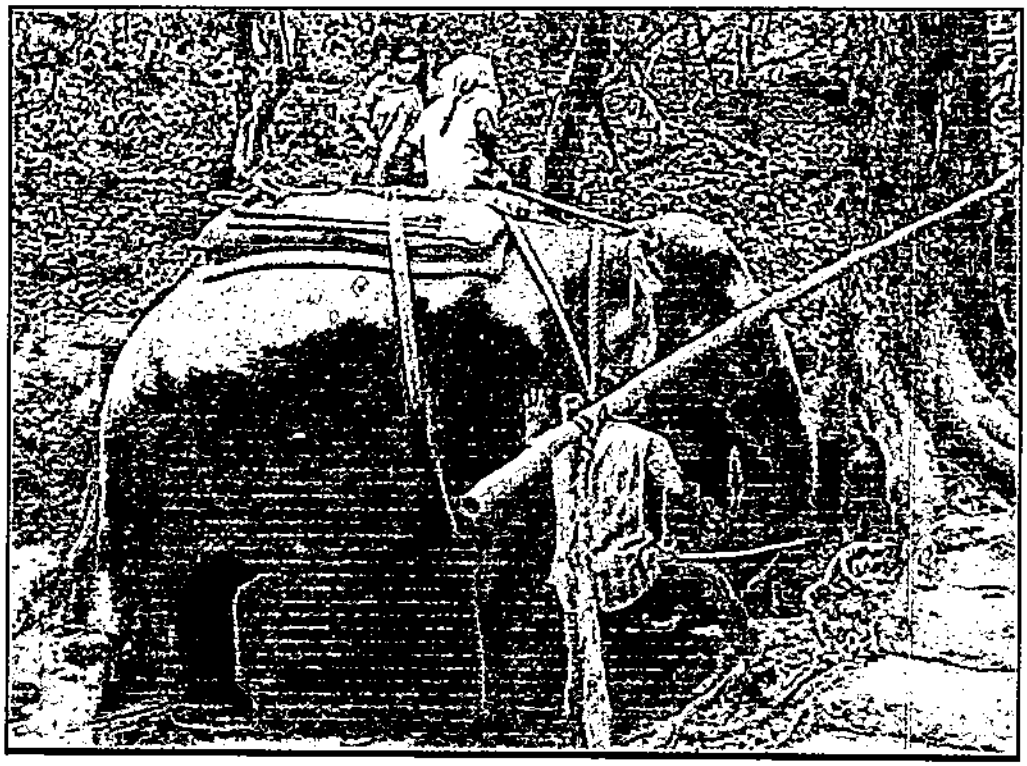
ANNEXURE 7 COLLY

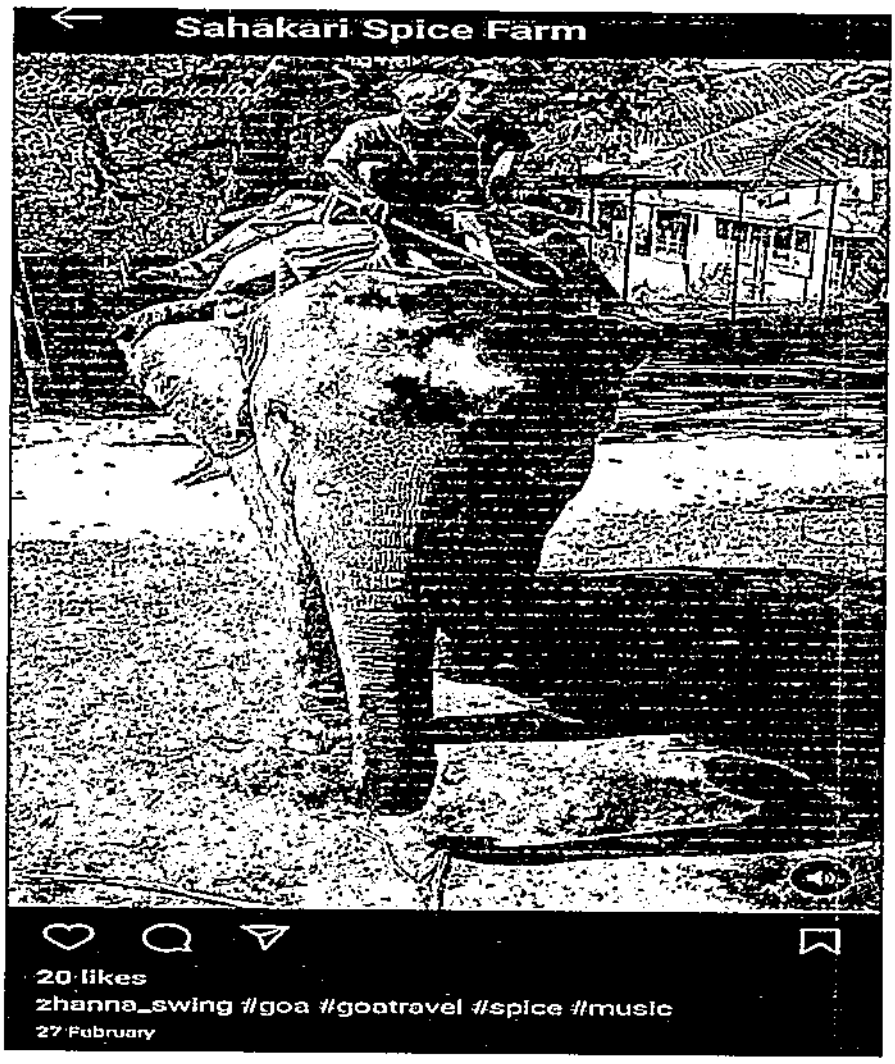
Photographs of Elephant Rides & Showers at:

1. Sahakari Spice Farm, Ponda

Photographs dt. 07th April 2022



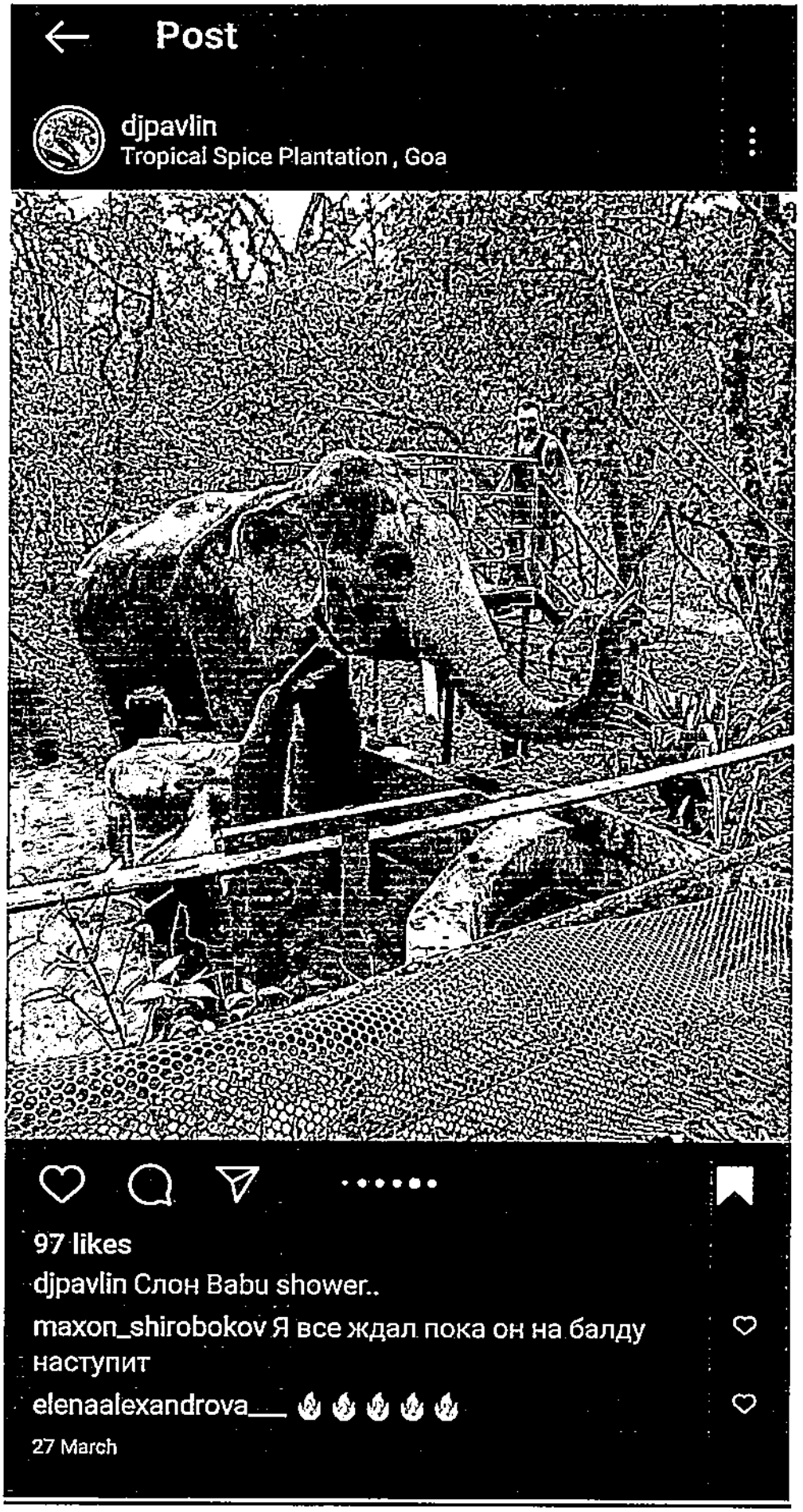




Photograph dt. 27th February 2022

2. Tropical spice Plantation, Ponda

Photograph dt. 27th March 2022

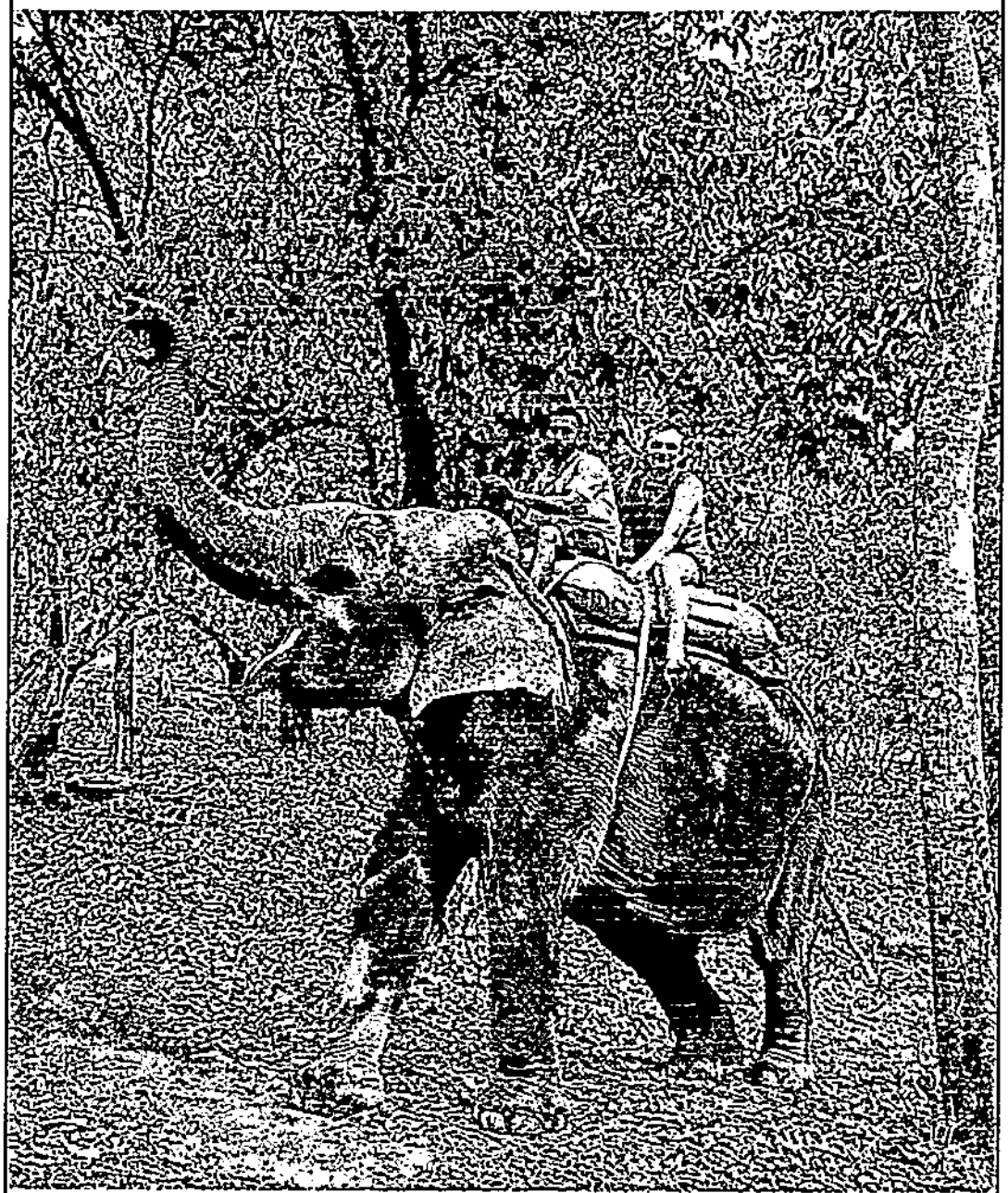


Photograph dt. 27th March 2022

Tropical Spice Plantation , Goa

djpavlin
Tropical Spice Plantation , Goa

Following ...



69 likes

djpavlin Слон Babu shower..

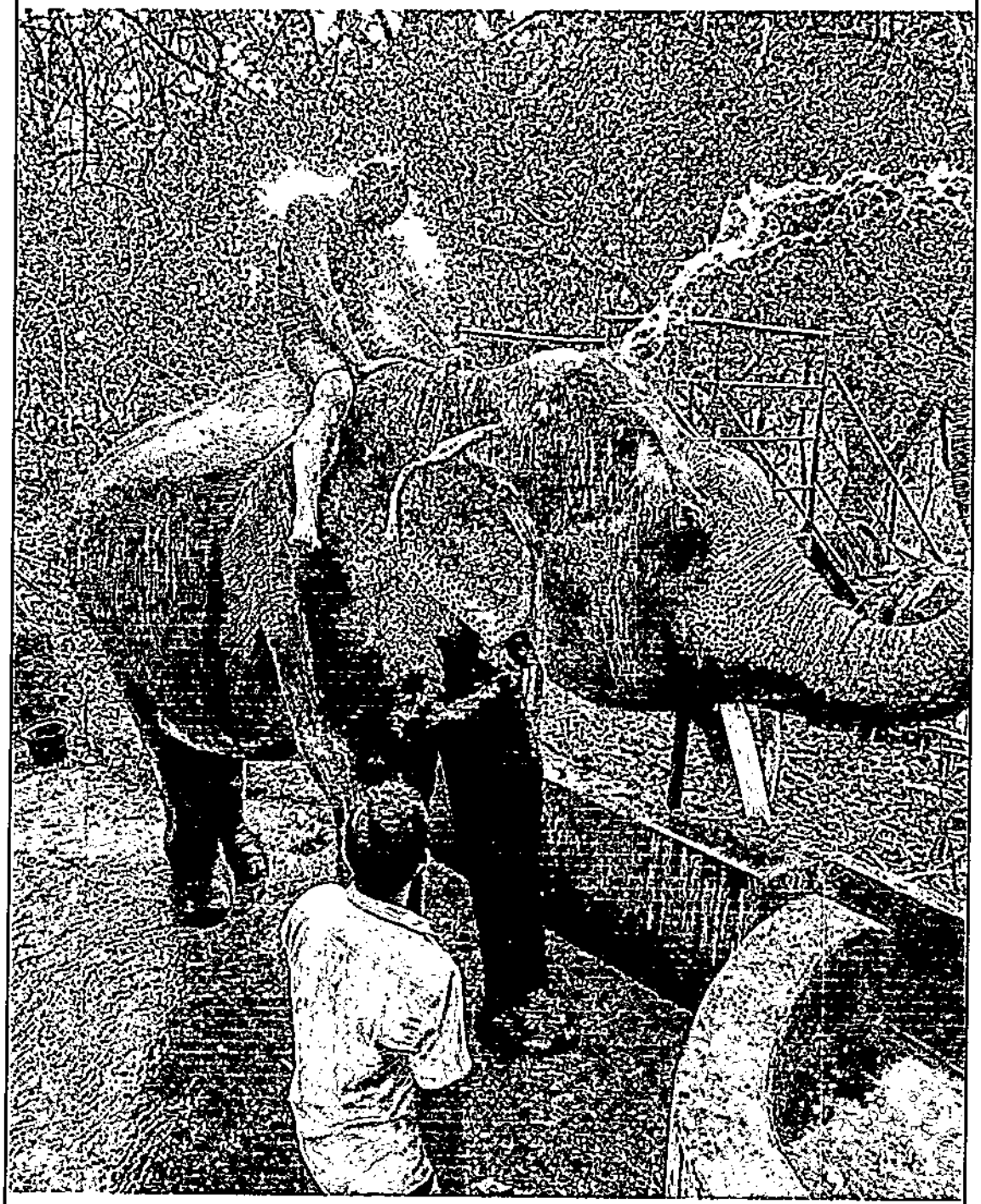
16 hours ago

Photograph dt. 27th March 2022

Tropical Spice Plantation , Goa

djpavlin
Tropical Spice Plantation , Goa

Following

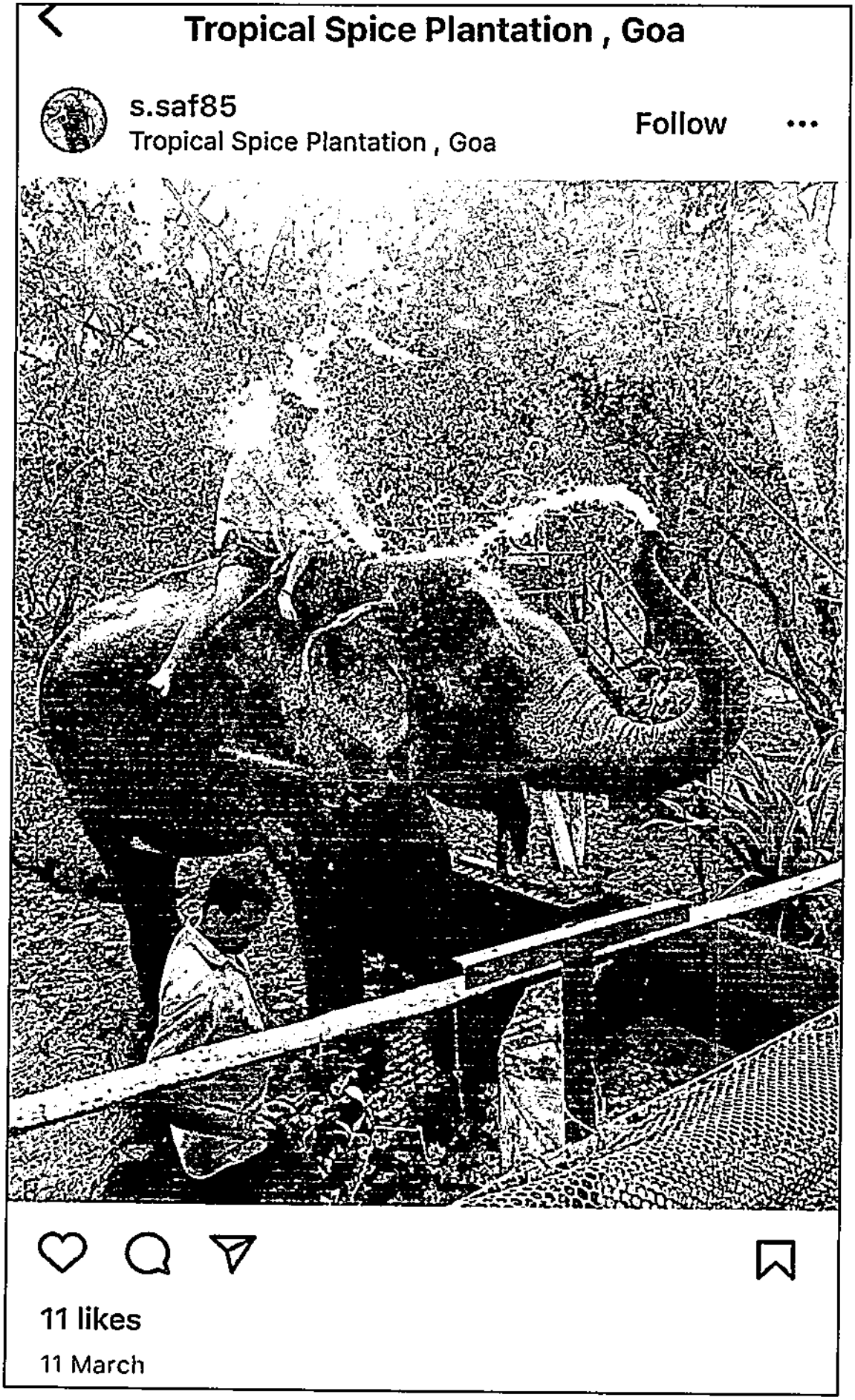


69 likes

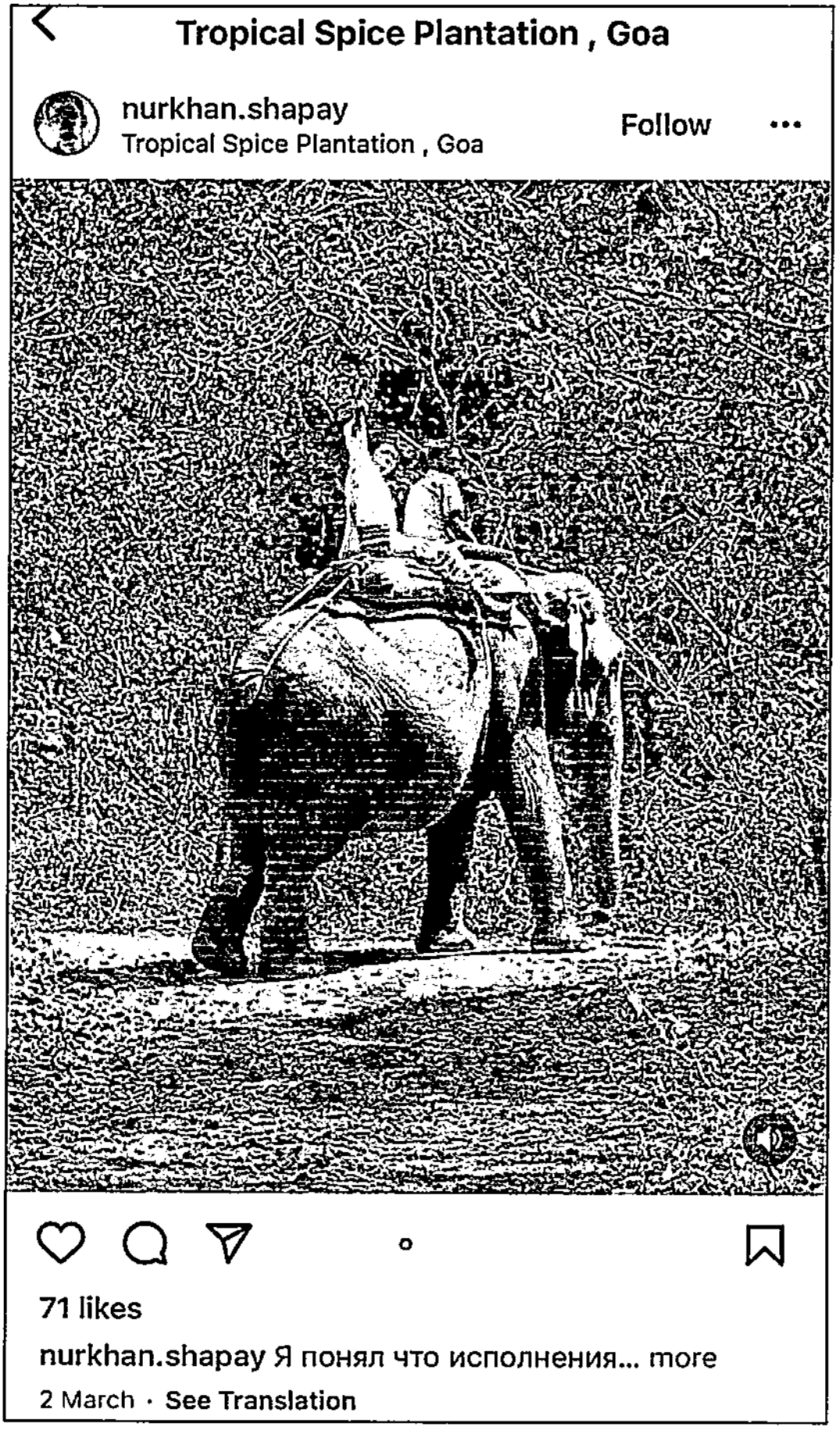
djpavlin Слон Babu shower..

16 hours ago

Photograph dt. 11th March 2022



Photograph dt. 02nd March 2022



ANNEXURE 8

IN THE HON'BLE HIGH COURT OF JUDICATURE AT BOMBAY, GOA BENCH, AT PORVORIM

P.I.L. W.P. No. /2022

People for Animals – Goa ...**Petitioner**

v/s

The Principal Chief Conservator
of Forests & Chief Wildlife Warden and Ors.

...**Respondents**

AFFIDAVIT OF KARLETTE ANNE FERNANDES

I, Karlette Anne Fernandes, Indian national, major of age, daughter of Merwyn Anthony Fernandes, resident of H.No. 1281, Lilwyn Mansion, Khursa Vaddo, Carona, Bardez, Goa – 403523, INDIA, do hereby solemnly affirm and state on oath as under:

1. That I am a veterinarian and an animal welfare worker based in Goa.

2. That on 7th April 2022, around 11 am, I visited Sahakari Farm in Ponda with a friend called Dawalsab Belgayer to see and confirm whether they were using elephant Janimani, also known as Tejal, for commercial rides as had been reported to me.

3. Upon reaching the farm I inquired about the elephant ride and I was encouraged and informed to access the elephant ride from the back road behind the farm.

4. My friend and I travelled through the back road and saw elephant Janimani, who was being referred to as Tejal by the two mahouts.

5. They offered to provide a 10 minute ride to us on the elephant for Rs. 700 per person.

6. While we waited, a father-son duo were riding the elephant. At some stage, during the ride, the elephant out of stress turned around abruptly. Both mahouts screamed angry commands at the elephant and hit her with bamboo sticks. The elephant squealed a bit and then turned around and continued the walk on the tar road.

7. As soon as the two tourists got off, I was instructed on how to sit onto the elephant, and hold onto the thick ropes around the jute seat cushioned with a thin layer of straw.

8. The Mahout rode the elephant by nudging her behind the ears with his toes and a light tap with a bamboo stick.

9. I was terrified of being on the elephant without a helmet or any safety gear, walking on a hot tar road.

10. Apart from knowing the fact that the ride is illegal, I did it to capture evidence of the ride. In less than three minutes, I asked to stop the ride as I was terrified.

11. The Mahout riding the elephant demanded a tip, so I handed over 50 rupees. On getting off the ride, I was asked to pay Rs. 700 to the Mahout standing on the ground. I asked for a printed ticket, but they did not provide one.

12. Elephant Janimani/Tejal looked stressed and not well. She had watery eyes, a hanging belly and a soggy sore patch on her left hip. Many of her nails were cracked.

13. She had a metal brace chained with spikes around her right hind leg, which was attached to a heavy-duty rope while she was made to stand.

14. There was no water trough visible near the elephant, where she was tied. A flimsy plastic sheet made some shade in the mid-day scorching heat.

15. While I was leaving around noon, I saw many more tourists arriving at the Spice Farm and I presume many of them would opt to ride Janimani and she would probably work through the day and have another 30-50 people ride her in the same day.

VERIFICATION

I, KARLETTE ANNE FERNANDES, daughter of MERWYN ANTHONY FERNANDES, on solemn affirmation and oath state all the facts stated in paragraphs 1 to 15 are correct to the best of my knowledge and belief and nothing is false or concealed. The contents being true I swear this affidavit.

Fernandes

Deponent

Before me:

WP(C) 743/14

ITEM NO.1 COURT NO.4 SECTION PIL(W)

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

I.A. No.19 of 2015 in Writ Petition (Civil) No.743 of 2014

WILDLIFE RESCUE AND REHABILITATION CENTRE AND OTHERS — Petitioner(s)

VERSUS

UNION OF INDIA AND OTHERS — Respondent(s)

(For directions and office report)

Date: 02/02/2016 This application was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE N.V. RAMANA

For Petitioner(s) Ms. Aparna Bhat, AOR
Ms. Shibani Ghosh, Adv.
Ms. Raj Kumari Banju, Adv.

For Respondent(s)
Mr. K. Parameshwar, AOR

Mr. Ajit Sharma, AOR

Mr. A. Raghunath, AOR

Mr. Balaji Srinivasan, AOR

Mr. B. Balaji, AOR

Mr. Devendra Singh, AOR

Mr. Gopal Singh, AOR

Mr. R. Basant, Sr. Adv.
Mr. Jogy Scaria, AOR
Ms. Beena Victor, Adv.
Mr. Robin Jacob, Adv.

Mr. K. Rajeev, AOR

Gp. Capt. Karan Singh Bhati, Adv.
Mr. Adarsh Kr. Tiwari, Adv.
Mr. T. Gopal, Adv.
Ms. Ruchi Kohli, AOR

Mr. Sidharth Luthra, Sr. Adv.
Ms. Supriya Juneja, AOR
Mr. Sameer Chaudhary, Adv.
Mr. Viraj Gandhi, Adv.
Ms. Mehaak Jaggi, Adv.

Mr. Vishnu Shankar Jain, Adv.
Ms. Mukti Chaudhary, Adv.

Mr. Rana Mukherjee, Sr. Adv.
Ms. Movita, Adv.
Mr. Sarfraz Ahmad Siddiqui, Adv.
Mr. S.N. Terdal, Adv.

Mr. Arjun Vinod Bobde, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Mr. Arjun Vinod Bobde, learned counsel, submits that he has instructions to appear for the State of Goa. Let him file Vakalatnama within a week and the response to the application within three weeks hence.

It is submitted by Ms. Aparna Bhat, learned counsel appearing for the petitioner that there are two resorts in the State of Goa, namely, Jungle Book and Tropical Spice Plantation, which provide for recreation for the tourists by engaging elephants, who are meted with cruelty. She has brought to our notice the photographs that have been annexed to the application. The prayer in the interlocutory application is to direct the Chief Wild Life Warden, Government of Goa, to see that the elephants are not treated with cruelty, apart from other prayers. Learned counsel

would urge that a report should be called from the Animal Welfare Board of India in this regard.

Let the two resorts be impleaded as the respondents in this application. Learned counsel for the applicant shall file the amended Cause Title within two days hence. The Registry shall issue notice to the said newly added respondents immediately, fixing a returnable date within four weeks.

Mr. Ajit Sharma, learned counsel appearing for the Animal Welfare Board of India, undertakes to file the report within three weeks.

Having heard learned counsel for the parties, we are, as advised at present, only inclined to direct that the Chief Wild Life Warden, Goa, shall ensure that the elephants who are engaged in these two resorts are not treated with any kind of cruelty in any manner. Be it clarified, whether such resorts can keep the animals or not, shall be dealt with at a later stage.

Let the matter be listed on 29th March, 2016.

I.A. No.11 of 2015 in W.P.(C) No.743 of 2014

On mentioning, the interlocutory application is taken on Board.

This is an application for intervention. Regard being had to the stand put forth by the applicant, the prayer stands allowed.

The interlocutory application is, accordingly, disposed of.

I.A. No.....of 2016 in W.P.(C) No.743 of 2014

On mentioning, the interlocutory application is taken on Board.

It is submitted by Mr. Sidharth Luthra, learned senior counsel appearing on behalf of the applicant that the said application is for directions and not for intervention. Regard being had to the same, Registry is directed to register the said application and issue notice, as directed on the earlier occasion.

(Chetan Kumar)
Court Master

(H.S. Parasher)
Court Master

IN THE HIGH COURT OF BOMBAY AT GOA

PIL Writ Petition No. 954/2022(f)

People for Animals Goa ...Petitioner

Versus

The Principal Chief Conservator of Forests and Chief Wildlife Warden & 6 Ors. ...Respondents

COMPLIANCE REPORT

1. The present Compliance Report is being filed in furtherance of the Order dated 26/04/2022 passed by this Hon'ble Court. There are 9 elephants which are presently housed at the 3 different Respondent Spice Farms. On 04/04/2022 the Veterinary Doctor who is attached to the Government veterinary Hospital, Mollem Goa has examined 6 out of the 9 elephants i.e. the 6 elephants which are housed at the spice farm of the Respondent No. 4. The examination by the

Veterinary doctor revealed that the said 6 elephants are found to be healthy, fit and free from communicable disease.

2. With respect to the Respondent Nos. 5 and 6, the Vetinary Doctor attached to the Veterinary Hospital, Curti, Ponda examined the Elephants in the premises of Respondent Nos. 5 and 6. The examination by the Veterinary doctor revealed that all the elephants are found to be healthy.

Annexed hereto and marked as **Exhibit R-1** are copies of the medical certificates of the issued by the Veterinary Doctor.

3. On 30/04/2022 an inspection of the Elephants which are stationed at the Respondent Nos. 4 to 6 Spice Farms was carried out. During the said inspection, the Feeding Registers and the Health Records/ Vaccination Records maintained by the Respondent Nos. 4 to 6 were verified.

4. With respect to the Respondent No. 6, the inspection prima facie reveals that the Elephants at the said Farm are not being put to commercial use.

5. With respect to the Respondent No. 5, it was revealed that the Elephant Janimani (Zonimoni) is being engaged for commercial activities in the nature of joy rides for Tourists within their farm area. The Statement of one Mr. Bhagwan Gangaram Shinde who was present at the time of the inspection in his capacity as a representative of the farm was recorded. In light of the afore stated facts, suitable action will be initiated against Mr. Baban Gangaram Shinde and Mr. Bhagwan Gangaram Shinde for the violation of the assurance made by Respondents No. 5 to the Hon'ble Court, that the Elephants will not used for any Commercial purposes.

R-5 is using Elephant for commercial use

6. With respect to the Respondent No. 4, the inspection revealed there was no sign of commercial use of the

:81

said Elephants stationed at the premises of the Respondent No. 4.

Annexed hereto and marked as **Exhibit R-2** is a copy of the Report prepared by the Conservator of Forests (Conservation).

Porvorim

04/05/2022

Jiss K. Varkey, IFS
Wildlife Warden &
Dy. Conservator of Forests
North Goa Division
For Respondent No. 1

Exhibit R-1
12 pgs
82

Government of Goa
Directorate of Animal Husbandry & Veterinary Services
Panaji- Goa

VETERINARY HEALTH CERTIFICATE

This is to certify that I have on this day 4th April 2022 examined the Elephant described below and said to be belonging to Shri Joseph Barreto residents of Rua De Ourem, Panjim- Goa. And the Elephant are housed at Jungle Book, Collem Dharbandora- Goa.

Description of the Elephant:-

1. Name — Rekha
2. Sex — Female.
3. Age — 25-7 yrs (Approximate)
4. Height — 7ft. 7 Inch
5. Nails — 18 nos
6. Tail — Full
7. Eyes — Good, light Brown colour
8. Ears — Good
9. Colors — Black
10. Tusk Size — —
11. Identification Mark — —
12. Microchip No — 956000004529159

On careful examination of the animal it was found to be healthy, fit and free from communicable disease at the time of examination.

This certificate is issued at the request of Forest Department Collem.

Date: 04/04/2022

04/04/22

Dr. Ketan B. Chowgule
Veterinary Officer,
Government Veterinary Dispensary
Mollem - Goa 403410.

Place:- Mollem

83

121/c.

Government of Goa
Directorate of Animal Husbandry & Veterinary Services
Panaji- Goa

VETERINARY HEALTH CERTIFICATE

This is to certify that I have on this day 4th April 2022 examined the Elephant described below and said to be belonging to Shri Joseph Barreto residents of Rua De Ourem, Panjim- Goa. And the Elephant are housed at Jungle Book, Collem Dharbandora- Goa.

Description of the Elephant:-

1. Name — Anmol.
2. Sex — Male
3. Age — 19:7 yrs. (approximate)
4. Height — 18 ft. 10 Inches.
5. Nails — 18 Nos.
6. Tail — full.
7. Eyes — Good, light Brown coloured
8. Ears — Good, Cut Mark on right ear
9. Colors — Black
10. Tusk Size — Left- length 21 cms, width 16 cm Right length 19 cms, width 15.5 cms.
11. Identification Mark — Cut mark on right ear.
12. Microchip No — 956000004529144

On careful examination of the animal it was found to be healthy, fit and free from communicable disease at the time of examination.

This certificate is issued at the request of Forest Department Collem Go.

Date:- 04/04/2022

Place:- Mollem

04/04/22

Dr. Ketan B. Chowgule
Veterinary Officer,
Government Veterinary Dispensary
Mollem - Goa 403410.

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84

Government of Goa
Directorate of Animal Husbandry & Veterinary Services
Panaji- Goa

VETERINARY HEALTH CERTIFICATE

This is to certify that I have on this day 4th April 2022 examined the Elephant described below and said to be belonging to Shri Joseph Barreto residents of Rua De Ourem, Panjim- Goa. And the Elephant are housed at Jungle Book, Collem Dharbandora- Goa.

Description of the Elephant:-

1. Name Montora
2. Sex Female
3. Age 50. 7 yrs (approximate)
4. Height 7 Ft. 9 Inches.
5. Nails 18 Nos.
6. Tail Full
7. Eyes Good, Lt. light Brown coloured & white
8. Ears Good, cut mark in right ear
9. Colors Black
10. Tusk Size Left side - length 7ins, girth 7ins.
Right side - length 7ins, girth 7ins.
11. Identification Mark Cut marks on right ear.
12. Microchip No 96100100000 1685

On careful examination of the animal it was found to be healthy, fit and free from communicable disease at the time of examination.

This certificate is issued at the request of Forest Department Collem-Goa

Date:-04/04/2022

Place:- Mollem

04/04/22.

Dr. Ketan B. Chowgule
Veterinary Officer,
Government Veterinary Dispensary
Mollem - Goa 403410.

85

119K

Government of Goa
Directorate of Animal Husbandry & Veterinary Services
Panaji- Goa

VETERINARY HEALTH CERTIFICATE

This is to certify that I have on this day 4th April 2022 examined the Elephant described below and said to be belonging to Shri Joseph Barreto residents of Rua De Ourem, Panjim- Goa. And the Elephant are housed at Jungle Book, Collem Dharbandora- Goa.

Description of the Elephant:-

1. Name — Sujatha
2. Sex — Female
3. Age — 20-7 yrs. (approximate)
4. Height — 8 ft.
5. Nails — 18 Nos.
6. Tail — Full
7. Eyes — Good, light Brown coloured
8. Ears — Good, but marks on right ear
9. Colors — Black
10. Tusk Size — Left side length - 7cms. Girth - 11cms. Right- side length - 14cms. Girth 13cms.
11. Identification Mark — Fibrostic growth on both forelimbs elbow joint above.
12. Microchip No — 956000004529114

On careful examination of the animal it was found to be healthy, fit and free from communicable disease at the time of examination.

This certificate is issued at the request of Forest Department Collem-Goa

Date:-04/04/2022

04/04/22.

Place:- Mollem

Dr. Ketan B. Chowgule
Veterinary Officer,
Government Veterinary Dispensary
Mollem - Goa 403410.

Government of Goa
Directorate of Animal Husbandry & Veterinary Services
Panaji- Goa

118(c)
86

VETERINARY HEALTH CERTIFICATE

This is to certify that I have on this day examined the Elephant described below and said to be belonging to Shri Joseph Barreto residents of Rua De Ourem, Panjim- Goa. And the Elephant are housed at Jungle Book, Collem Dharbandora- Goa.

Description of the Elephant:-

1. Name — Dumbo
2. Sex — Male
3. Age — 27. yrs.
4. Height — 150 cm (4.1 ft)
5. Nails — 20 Nos
6. Tail — Full
7. Eyes — Good, light- Brown Colour
8. Ears — Good.
9. Colors — Black.
10. Tusk Size — Right side length - 9 cm width - 8 cm
    left side length 9 cm width. 8 cm
11. Identification Mark
12. Microchip No — 956000011731950.

On careful examination of the animal it was found to be healthy, fit and free from communicable disease at the time of examination.

This certificate is issued at the request of Forest Department Colle

Date:-04/04/2022

Place:- Mollem

04/04/22

Dr. Ketan B. Chowgule
Veterinary Officer,
Government Veterinary Dispensary
Mollem - Goa. 403410.

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Government of Goa
Directorate of Animal Husbandry & Veterinary Services
Panaji- Goa

VETERINARY HEALTH CERTIFICATE

This is to certify that I have on this day 4th April 2022 examined the Elephant described below and said to be belonging to Shri Joseph Barreto residents of Rua De Ourem, Panjim- Goa. And the Elephant are housed at Jungle Book, Collem Dharbandora- Goa.

Description of the Elephant:-

1. Name — Manik
2. Sex — Male
3. Age — 53.7 yrs (approximate)
4. Height — 8 ft. 9 Inches.
5. Nails — 18 nos.
6. Tail — Full.
7. Eyes — Good, light Brown Coloured
8. Ears — Good, cut mark in right ear, both have uneven border
9. Colors — Black
10. Tusk Size — Left - length - 64 cms, Girth - 40 cms. Right - 68 cms. Girth - 35 cms.
11. Identification Mark —
12. Microchip No — 960100100002966

On careful examination of the animal it was found to be healthy, fit and free from communicable disease at the time of examination.

This certificate is issued at the request of Forest Department Collem-Goa

Date:- 04/04/2022

Place:- Mollem

04/04/22.

Dr. [illegible]
Veterinary Officer,
Government Veterinary Dispensary
Mollem - Goa 403410.

Exhibit R-2
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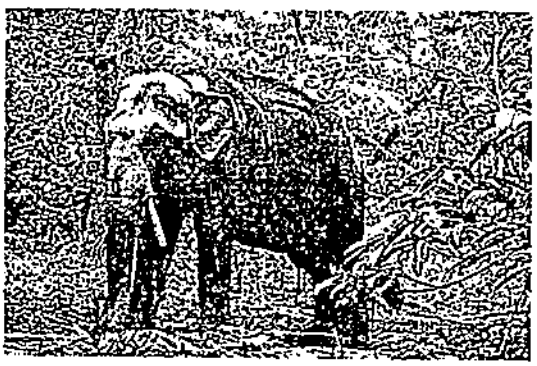
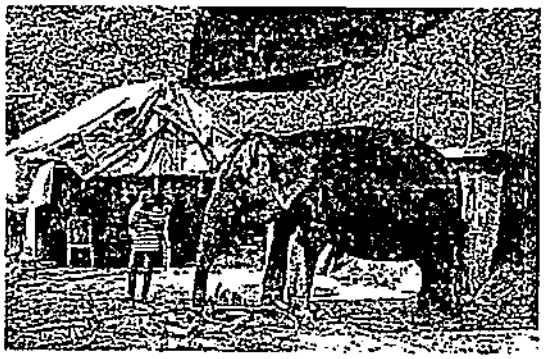
INSPECTION REPORT

ON

CAPTIVE ELEPHANTS IN GOA





Dr S Dinesh Kannan, IFS
Conservator of Forest
Conservation
Goa Forest Department

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GOVT OF GOA
OFFICE OF THE ASSISTANT DIRECTOR
VETERINARY HOSPITAL
PONDA, GOA 403 401
Tel/Fax: 0832-2312345

South/Vet/Ponda/Elephant/2022/ 66
Dated: 02/05/2022

To,
The Dy. Conservator of Forests
North Goa Division
Panaji-Goa.

Sub: Inspection report of Captive Elephants.
Ref: DFO/NGD/VS No.1209/All/CAE/WB/2021/3000 dt.10/12/2021

Sir,

With reference to the above cited subject, I inspected the elephants as under.

Sr. No	Place	Name of Elephant and Microchip No.	Date of Inspection	Remarks
1.	Tropical Spice Plantation Arla - Keri	1) Appu (71 years) ------ 2) Manik (60 years) 956000004526990	02/05/22	Could not scan Microchip No.
2.	Sahakari Spice Farm Curti - Ponda	1) Laxmi (36 years) 956000004526974	02/05/22	------

Certified that the above mentioned elephants were inspected on 02/05/2022
Certified that during the inspection all the elephants were found to be apparently Healthy.

Yours Faithfully

(Dr. Manan G. Umapkar)
Assistant Director,
Govt. Veterinary Hospital, Ponda

Copy to:
1. The Director, Animal Husbandry, Panaji-Goa
2. Shri Bhagwan Shirodkar
   C/o Sahakari Spice Farm, Curti-Ponda (For their information)
3. Shri Sahidas Satarkar
   C/o Tropical Spice Plantation, Arla - Keri (For information)

1. INTRODUCTION

The PIL Writ Petition No: 954 of 2022 (F) filed by People for Animals Goa through its President Norma Alvares was heard by the Hon'ble High Court of Bombay at Goa on 26th April, 2022. The Learned Advocate General stated that the Respondent No: 01 to 03 to inspect the premises of Respondent No: 04 to 06 to find out whether the allegations made in the petition are correct. He also added that the action as permissible in Law will also be initiated, if the allegations are indeed found to be correct.

The Hon'ble High Court of Bombay at Goa on the PIL Writ Petition No: 954 of 2022 (F) asked to file an Affidavit by the concerned officials representing Respondent No: 01 to 03 in the matter explaining the results of such inspection and action, if any.

The major remarks/observations in the Petition filed by People for Animals – Goa are:

1. The Captive Elephants are being used for Commercial Use (Respondent No: 05 and Respondent No: 06) even after the Forest Department seized the elephants in 2018 and the elephants were permitted to remain with the Private Resorts/Farms owing to the constraints including the lack of Facilities.

2. The poor conditions of the Farm and the Ill-health of the Captive Elephants in the respective Resorts/Farms and implementation of the Dr. Surendra Varma's Report are reiterated.

3. Reliefs prayed for establishment of Elephant Care Facility as recommended by the Dr. Surendra Varma Committee, seize the elephant from Respondent No: 05 and relocate her with the Respondent No: 06 and to submit a management plan for long term upkeep of the elephants on Goa as per the recommendations of the Dr. Surendra Varma Committee Report.

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Accordingly, an inspection in the premises of the Respondent No: 04 to 06 are carried out on 30/04/2022. The staff and the concerned persons accompanied in the inspection are as under:

Respondent No – 06 : M/S Tropical Spice Plantation:

Round Forester	-	Shri. Joao I A Fernandes
Forest Guard	-	Shri. Rama Derkungar
Representative	-	Shri. Rohidas Baburao Satarkar,

Respondent No – 05 : M/S Sahakari Farm:

Round Forester	-	Shri. Joao I A Fernandes
Forest Guard	-	Shri. Pramod Mallik
		Shri. Rama Derkungar
Representative	-	Shri. Bhagwan Gangaram Shinde

Respondent No – 04 : M/S Jungle Book Resort:

Range Forest Officer	-	Shri. N D Prabhudessai
Round Forester	-	Shri Jairam Gaonkar
Forest Guard	-	Shri. Satyawan Naik
Representative	-	Shri. Joseph Barreto

During the inspection, the Feeding Registers and the Health Records/ Vaccination Records had verified from the custody of the Resort/Farm.

The Health status of these Captive Elephants have been carried by the Veterinary Officer deputed by the Department of Animal Husbandry, Government of Goa once in four months. This routine inspection of the elephants is apart from the veterinary health care engaged by the concerned Farm/Resort.

2. CAPTIVE ELEPHANTS IN GOA

At present, there are 09 captive elephants are in three different Farms/Resort in Goa. The details are as under:

1. M/S. Tropical Spice Garden	:	02 Elephants
2. M/S. Sahakari Farm	:	01 Elephant
3. M/S. Jungle Book Resort	:	06 Elephants

A total of 10 Elephants were seized by the concerned Investigating officers of Forest Department on 18/12/2018 and the seized elephants were permitted to be kept under the custody of the concerned persons on indemnity bond due to the lack of facilities with the Forest Department.

During this period, one elephant each in M/S. Tropical Spice Garden and M/S. Sahakari Farm died and there was one calf born in M/S. Jungle Book Resort and hence presently a total of Nine (09) Captive Elephants are available in Goa.

The Captive Elephants in Goa are:

M/S. Tropical Spice Garden:

1. Babu
2. Maniki

M/S. Sahakari Farm:

3. Janimani (Zonimoni)

M/S. Jungle Book Resort:

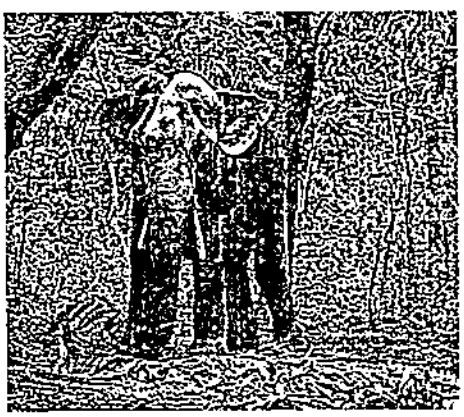
4. Rekha
5. Sujata
6. Manik
7. Montora
8. Aromol
9. Dumbo

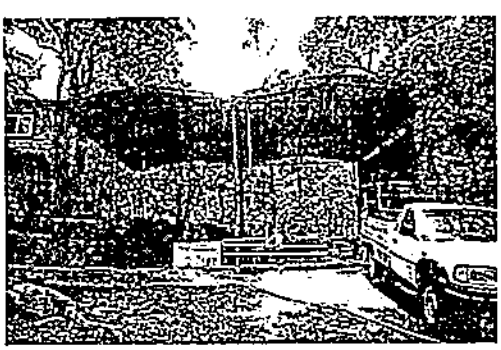
3. M/S TROPICAL SPICE GARDEN

The M/S Tropical Spice Garden has two elephants namely Babu and Monki under their possession as per the permission given by the Forest Department. The basic details of these elephants are:

1. Babu, the Male Elephant
   Age : 71 Years (Approximately)
2. Maniki, the Female Elephant
   Age : 54 Years (Approximately)

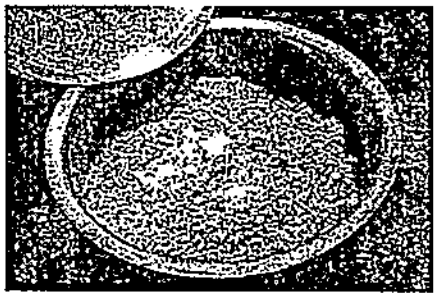
On 18/12/2018, three elephants were seized by the Investigating Officer of the Forest Department and kept under the possession of Shri. Rohidas Baburao Satarkar, Manager of M/S Tropical Spice Garden. It was informed to the Forest Department that on 10/07/2020, one female elephant namely Laxmi Kumari died and hence at present, two elephants are under the possession of M/S Tropical Spice Garden.





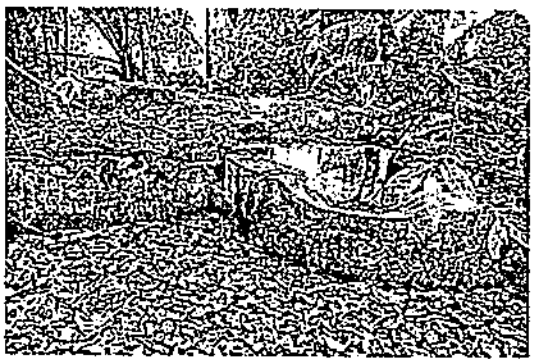
The Elephants are physically seen on 30/04/2022 and they seem to be healthy. On enquiry with the Mahouts, it was informed that the Elephants are regularly taken in the morning walk and the feed including the green fodder are being provided as per the recommendations of the Veterinary Doctor of the Farm.

The health records of these two Elephants were checked and found that regular veterinary health check-up was done by M/S Tropical Spice Garden and from the records, it is found that both the elephants are fit and healthy. The Vaccinations and Deworming are also being done regularly without any delay. The copies of the recent records related to feeding, veterinary care related to these two elephants namely Babu and Maniki are enclosed as **ANNEXURE – I** and **ANNEXURE – II** respectively.



As alleged in the Petition filed in the Hon'ble Court, the Commercial Use of the elephants was enquired from Shri. Rohidas Baburao Satarkar, Manager of M/S Tropical Spice Garden and the Mahouts. They informed that the Commercial Use was stopped four years back and these elephants are kept and maintained separately.

The photos attached in the Petition are verified in the Garden. The specific photos uploaded by the Foreign Tourists are dated 02nd March, 11th March and 27th March, 2022 as per the Social Platform information. The Mahouts seen in these photos are not physically available on the date of inspection. It is learnt that they have gone home on Holidays and hence they could not be interacted. On enquiry, the Farm Incharge said that there were no Foreign Tourists visiting the Farm after the CoVID-19 Pandemic. He also assured that the photo might have been taken four years back.



The location mentioned in the Photos were checked in the field. The area is looking abandoned as of now. The area is totally untouched and there are many weeds grown in the particular area and there is no water facility and the ladder

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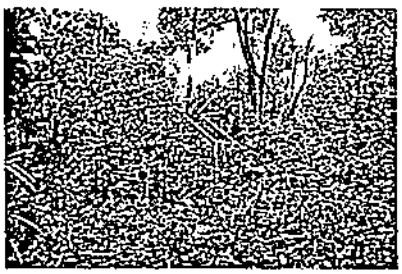
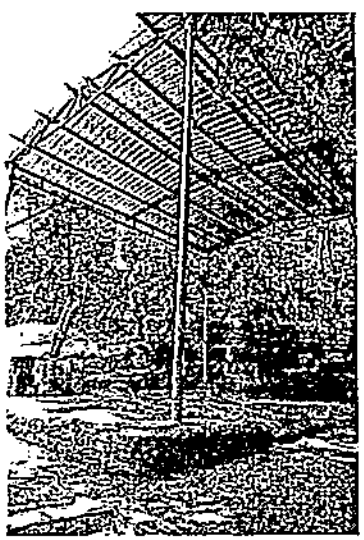
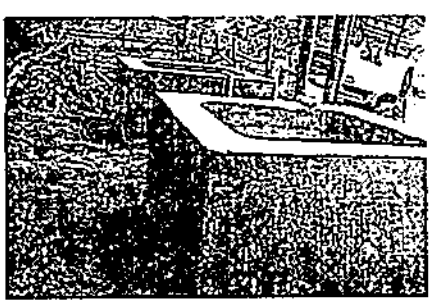
facility. The other places wherefrom the Elephants used for Commercial Use were also checked and found that those areas are also totally abandoned and filled with shrubs and weeds grown in that area.



From the Social Media (Google Reviews) on the Tropical Spice Garden, the comments on elephant ride in Tropical Spice Garden are mainly saying about the absence of Elephant Rides in the Spice Garden and they expressed their disappointment in their comments/remarks about M/S. Tropical Spice Garden in the past two years. From the circumstantial evidences including the physical inspection carried out in the Garden, it is understood that there is no Commercial Use of the Elephants in Tropical Spice Garden.

The immediate measures as suggested in the Dr. Surendra Varma Committee report have been implemented to certain extent. This included the unrestricted movement, canopy cover for the elephants, foraging opportunity and Natural substrate in the resting place. However, the Running Water facility is not provided as per the recommendations of the Committee. Instead, they provide the water in the Tanks which is approachable by the elephants in the shelter as well as the resting place. The short term and the long term management interventions are yet to be implemented in elephant management by M/S Tropical Spice Garden.





It is learnt from the records that they requested to issue NOC from Goa Forest Department to transfer these two elephants to Radhe Krishna Temple, Elephant Care Facility, Jam Nagar, Gujarat which is recognized by Gujarat Forest Department.

4. M/S. SAHAKARI FARM

There is one Female Elephant namely Janimani (Zonimoni) aged around 55 Years near M/S. Sahakari Farm. This elephant is in the possession of Shri. Baban Gangaram Shinde and Shri. Bhagwan Gangaram Shinde. The Forest Department seized the elephant and kept in possession of them. It is learnt that two Elephants were under their possession and one of them died and at present only one Female Elephant is available with them.

At present, two Mahouts (Shankar and Rajal Shindai) are managing the elephant and the regular routine was informed by the Mahouts as they are taken for morning walk of around two Kilometres and then they are kept under the artificial shade of a single tarpaulin sheet cover prepared by them. The feed including fodder are being provided as per the recommendations of the veterinary doctor engaged by the Farm.

The records related to feeding and the veterinary care including the vaccination and the deworming records were checked and found that the animal is fit and healthy. The copies of the records of Zonimani are enclosed as **ANNEXURE – III.**

With respect to the Commercial Use of the elephant, on initial enquiry the Mahouts and one of the accused Shri. Bhagwan Gangaram Shinde did not accept the Commercial Use. On further interrogation along with the photographic evidences and the social platform messages, they agreed that Zonimoni, the female

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elephant is being used for Joy Ride for the Tourists. The Mahout revealed that they are charging Rs. 700/= per ride for 10 minutes of time.

Shri. Bhagwan Gangaram Shinde one of the accused and with whom the Elephant is under possession is well aware of the rules and regulations and he committed the crime knowingly. The Statement of Shri. Bhagwan Gangaram Shinde was recorded and enclosed as **ANNEXURE – IV.** His statement revealed that he engaged his elephant for Joy rides and he added that the engagement is purely for the purpose of monthly expenditure towards the Elephant including the Salary of the Mahouts.

The Photographs dated 07/04/2022 were verified in the field and found that the photographs and the present situation are more or less the same and such Joy Rides carried out in this place is proven and the commercial use of the elephant by Shri. Bhagwan Gangaram Shinde is agreed by himself.

The statement of Dr. Karlette Anne Fernandes which was enclosed in the Petition was also enquired and both the Mahouts and Shri. Bhagwan Gangaram Shinde could not recognize such an incident, but inturn they accept that this may be a part of the commercial use of the Elephant in the form of Joy Ride being done by them.

The Immediate Measures as proposed by Dr. Surender Varma has not been implemented. The Hard Surface (Tar Road) is being used for the movement. There is no proper shelter for the Elephant. There is no proper water facility provided to the elephant and the animal is chained for a long time. The Medium Term and Long Term Management of the Elephant has not been looked into by Shri. Bhagwan Gangaram Shinde and his team.

It is learnt that Chief Wildlife Warden, Government of Karnataka has given consent based on the willingness expressed by Wildlife Rescue Rehabilitation Centre (WRRC) for the rehabilitation of Zonimoni Elephant subject to the conditions on production valid ownership certificate and asked to intimate about the transportation of the Elephant to Karnataka Forest Department.

5. M/S. JUNGLE BOOK RESORT

A total of five elephants were seized from Shri. Sunil S Goankar, Manager of M/S. Jungle Book Resort on 18/12/2018 by the investigating officer of Forest Department. These five elephants have been given under the custody of Shri. Sunil S Goankar with the condition to take safe custody of these five seized elephants.

The five seized elephants are:

1. Rekha (26 Years)
2. Sujata (21 Years)
3. Manik (54 Years)
4. Montora (51 Years)
5. Aromol (20 Years)

During the inspection, it is learnt that there is one more addition in the name of new Elephant Calf in the herd. From the office records, it is understood that there is no intimation to the Department about the new born Elephant Calf which is about to be three years old. However, the inspection report of the Veterinary Doctor included the three-year-old Elephant Calf which is named as Dumbo.

The management of these elephants are enquired from Shri. Joseph Barreto, M/S. Jungle Book Resort during the visit to these Elephants. The Elephants are kept within the Solar Fenced area and also the Elephants are in Free Range within

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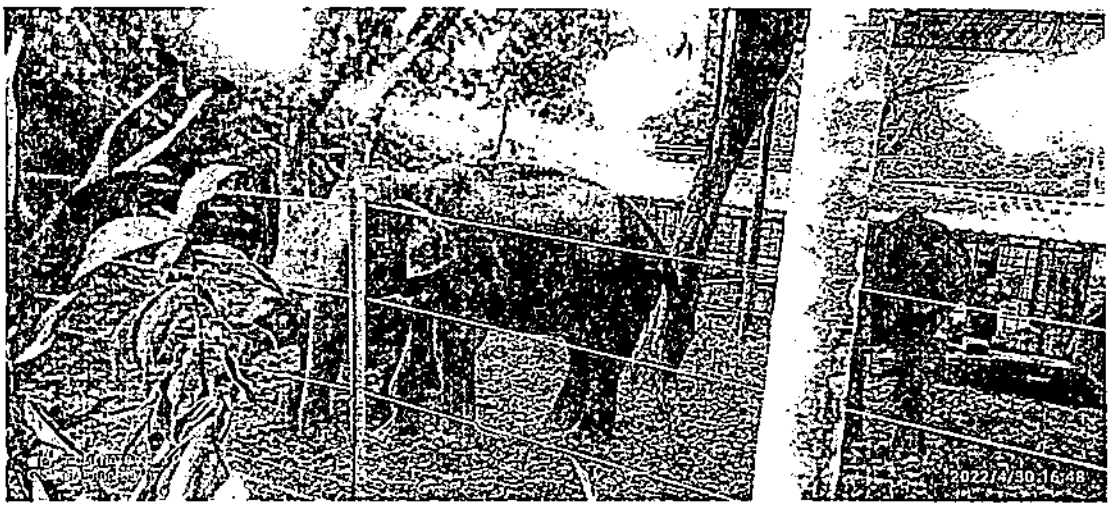
the enclosure. The animals have sufficient space to move around and these Elephants are being taken in the Morning Walk and in the evening, they are taken to the nearby water stream for bathing. The animals are looking healthy.



Veterinary care is looked after by the veterinary doctor engaged by M/S. Jungle Book Resort. The relevant records on feeding and veterinary care are verified and the copies of the latest records/reports are enclosed herewith as **ANNEXURE – V.**

In the Petition filed before the Hon'ble Court, there was no adverse remarks/observations on Commercial Use of Captive Elephants with respect to M/S. Jungle Book Resort. During inspection, there was no sign of commercial use in the name of Joy Ride practices.

As per the Dr. Surendra Varma Committee report, the committee was satisfied with the facilities available at present in the premises of M/S. Jungle Book Resort with respect to Captive Elephants. However, the medium and long term management are yet to be looked into by M/S. Jungle Book Resort for these elephants.

6. ROLE OF FOREST & WILDLIFE DEPARTMENT

The Captive Elephants have been handled by the Forest Department methodically. On 18/12/2018, Ten number of elephants were seized from three different Farms/Resorts and they were kept under the possession of the same Farms/Resort with the condition to take safe custody of the elephants.

In order to maintain the wellbeing of these captured Elephants, Forest Department requested Goa Animal Husbandry Department to depute Veterinary Doctors for this specific purpose of inspecting these Elephants on every four months. Accordingly, the Goa Animal Husbandry Department deputed the Veterinary Doctors and the copy of the order is enclosed as **ANNEXURE – VI** and the Latest Inspection reports on these Captive Elephants are enclosed as **ANNEXURE – VII.**

Dr. Surendra Varma Committee Report has been circulated to all three Farms/Resort with the direction to follow the recommendations and also Chief Wildlife Warden directed the Concerned Forest Officers to inspect the Elephant on routine basis.

In the meantime, the Forest Department had filed cases on the Ownership of these Elephants as they couldnot produce the legal documents on the ownership of the Elephants and those Wildlife Offence Cases are under trial now.

Regarding the establishment of Elephant Care facility, Forest Department received one request from Wildlife Rescue and Rehabilitation Centre (WRRC) – Elephant Care Facility was received. In the meantime, Forest Department received an application from M/S. Tropical Spice Garden with the request to send their Captive Elephants to Radhe Krishna Elephant Welfare Trust at Motikhavdi Taluka, Jamnagar, Gujarat. Due to the pending Offence Case on the illegal captivity of the elephants in the JMFC, the transfer request could not be considered at this moment.

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7. OBSERVATIONS

The Critical Observations made in the three Farms/Resort are as under:

1. The elephant namely Zonimani in the possession of Shri. Baban Gangaram Shinde and Shri. Bhagwan Gangaram Shinde has been illegally used for the Commercial Purpose. This illegality by them is proved without any doubt with the photographic evidences and the Social Platform messages. The Statement of Shri. Bhagwan Gangaram Shinde has ensured the illegal use of the Elephant Zonimani maintained near M/S. Sahakari Farm.

2. The Elephant Zonimani near M/S. Sahakari Farm is not maintained as per the recommendations of Dr. Surendra Varma Committee Report. Basic immediate measures have also not been fulfilled by the persons with whom the Elephant is under possession.

3. Being the lonely Elephant in the premises and the poor maintenance conditions existing over there, there may be a possibility of further violation by Shri. Bhagwan Gangaram Shinde. Hence a suitable option of transferring the Elephant to an Elephant Care Facility where the adequate facilities are available may be good for the betterment of the Elephant Zonimani.

4. The Elephants in M/S. Tropical Spice Garden are being maintained to certain extent and few immediate measures as suggested by the Dr. Surendra Varma Committee are yet to be implemented.

5. The transfer request of two Elephants (Babu and Maniki) of M/S. Tropical Spice Garden to Elephant Welfare Trust, Gujarat and the consent by Karnataka Forest Department for Rehabilitation of the Elephant (Zonimani) in WRRC- Elephant Care Trust in Kolar District of Karnataka may also be received by the Goa Forest Department for taking necessary action in this regard.

6. From the circumstantial evidences, the commercial use of the Elephants in M/S. Tropical Spice Garden could not be established. The location in the

enclosed photographs in the Petitions seem to be old as the present condition of the same place is abandoned and the area is covered with grown shrubs and weeds.

7. M/S. Jungle Book Resort is maintaining the Elephants very well compared to the other two Farms.

8. Goa Forest Department is ensuring the health of these elephants through the Veterinary Doctors deputed from the Goa Animal Husbandry Department. The Veterinary Doctors are submitting the health reports time to time to the Forest Department. The Chief Wildlife Warden has directed the Field Forest Officers for routine inspection of these Elephants for their Well Being.

8. CONCLUSION

The Captive Elephants in three Farms/Resorts namely M/S. Tropical Spice Garden, M/S. Sahakari Farm and M/S. Jungle Book Resort have been inspected on 30th April, 2022. The inspection was coupled with the verification of the relevant records available with these Farms/Resorts.

The Elephants are physically seen and in general, these Elephants are looking fit and healthy and the Veterinary registers available with the Farms/Resort also replicate the fit and healthy conditions of the Elephants.

Based on the physical observations, available records and discussion with the Mahout and the staff of the Farms/Resort, the following conclusionary remarks/recommendations are made:

1. Suitable action has to be taken immediately against Shri. Baban Gangaram Shinde and Shri. Bhagwan Gangaram Shinde for the violation of the Conditions including the Commercial Use of the Elephant (Zonimoni) near M/S. Sahakari Farm.

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2. The welfare conditions of the Elephant have not been improved by Shri. Bhagwan Gangaram Shinde for the Captive Elephant Zonimoni as per the recommendations of Dr. Surendar Varma Committee Report. Goa Forest Department has to take necessary action to ensure the welfare of the Elephant Zonimoni.

3. Transfer of elephants to other States where suitable Elephant Care facilities are available may be explored. The request of transferring the elephants (Babu and Maniki) to Gujarat and the consent to accept the elephant (Zonimani) for WRRC, Karnataka may also be explored for the welfare of these elephants.

The implementation of the recommendations may be subject to the facilities and the Legislative provisions available with the Goa Forest Department.

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02/05/2022

Annexure - I

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Elephant name- Maniki

Date	History	Symptoms & Diagnosis	Treatment	Signature
14/03/22				
15/03/22				
16/03/22				
19/03/22				
20/03/22				
25/03/22				
28/03/22				
29/03/22				
30/03/22				
04/04/22				
13/04/22				
14/04/22				

Date	History	Symptoms & Diagnosis	Treatment	Progress Notes
11/04/22			Ajawain Black Salt Black Cumin	
12/04/22 13/04/22			Pavical forte No. 52	
18/04/22			Ajawain Black salt Black Cumin	
19/04/22 20/4/22			Pavical forte No - 52	
25/04/22			Ajawain Black Salt Black Cumin	
26/04/22 27/04/22			Pavical forte No - 52	

22/9/2021. Tetanus Toxoid.
10 ml I/M.
Batch NO - 23001002A.
Mfl. Date - July 2020
Exp. Date: Jun 2023.

March 2022

22/9/2021
Dr. R. B. Dhurve
G.V. Gen. & A. Hosp.
GBUC-43

23/3/2022 Tetanus Toxoid

Sept 2022

10 ML I/M.
Batch No. 23001002D
MFG. -JUL-2020
EXP. . JUN 2023.

23/3/2022
GBUC-43
Dr. R. B. Dhurve
G.V. Gen. & A. Hosp.

VACCINATION RECORD

(4) 11
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DATE	TYPE OF VACCINE	DUE DATE FOR NEXT VACCINATION	SIGN. OF VETERINARY SURGEON
12/05/2020	Raksha HS + BQ Haemorrhagic Septicaemia & Black Quarter vaccine Batch No: 01HBV00218 Mfg Date: 10/2018 Exp: 09/2020	May 2021	Dr. R. B. Dhuri B.V.Sc. & A.H. GVC-43
19/7/2021	Raksha H.S. Haemorrhagic Septicaemia vaccine 6ml S/C Batch No 01HBV00220 Mfg Date - 08/2020 Exp Date - 07/2022	July 2022	19 July 2021 Dr. R. B. Dhuri. B. V. Sc. & A. H.

Date.	Type of Vaccine	Next Due.	Sign. of Vet.
10/09/2018	FUTVAC FMD Vacc. 2ml I/M MFD – 2017 Batch No FU 357/2017 Exp – AUG 2019.	MAR 2019	10/9/2018 Dr. R. B. Dhuri
07/03/2019	FUTVAC FMD Vac. 2ml – I/M Batch no FU 357/2017 MFD – 2017, Exp. AUG 2019	SEPT 2019. ?	7/3/2019
30/07/2019	FUTVAC FMD Vac. 2ml – I/M. Batch no FU 357/2017 MFD – 2017 EXP AUG 2019	FEB 2020.	30/7/2019 Dr. R. B. Dhuri
18/09/2020	Bio. FMD – Oil. Trivalent Vaccine. Batch no – 33TVC19037 Dt of Mfg – Sept. 2019. Dt of Exp. – Aug – 2021	MAR 2021	18/9/2020
17/X/2021	FMD RAKSHA OVAC (IAL) Batch No – 01FUT00721 Dt. Mfg. 6/21 Dt of exp 5/23	16/4/2022	17/10/2021 Dr. R. Dhuri CSVC-43
14/4/2022	Foot & Mouth Disease Vaccine FMD RAKSHA OVAC Batch No – 01FUT00721 Mfg. Date – 6/21 Exp Date – 5/23	13/Sept 2022	14/4/2022 Dr. R. B. Dhuri B.V.Sc. & A.H. CSVC-43

DEWORMING RECORD

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DATE	BODY WEIGHT IN KG	MEDICINE / DEWORMER	DOSE
01/10/2020	3750 kg.	Fenbendazole bolus	20 gm oral.
7th April 2021	3960 kg Bdt.	Bolo Fenbendazole	21 gms - orally.
15/Sept 2021	3990	Bolus Fenbendazole	21.5 gm orally
16th Dec 2021	3981	Boli Fenbendazole	22 gm. orally.
20/3/2022	3950	Tab. Fenbendazole	21.5 gm orally

ANNEXURE . II

Elephant Name - Babu

Date	History	Symptoms & Diagnosis	Treatment	Preventive Measures time	Sign 23
1/03/22			Ajanin 1 caps Black Seed 100gm Black cumin 100gm		
21/03/22					
22/03/22			Paracetamol 500mg Vit C 250 mg		
7/03/22			Ajanin 2 caps Black seed 100gm Black cumin 100gm		
8/03/22					
9/03/22			Paracetamol 500mg Vit C 250mg		
14/03/22			Ajanin 1 caps Black seed 100gm Black cumin 100gm		
5/03/22					
6/03/22					
21/03/22			Ajanin 1 caps Black seed 100gm Black cumin 100gm		
22/03/22					
23/03/22			Paracetamol 500mg Vit C 250mg		
28/03/22			Ajanin 2 caps		

Date	History	Symptoms Diagnosis	Treatment		Preventive Measures Done	Sign
24/03/22			Provical forte	200mL		24
30/03/22			Liv - 52 V	250mL		
24/04/22			Ajawain	200gm		
			Black salt	100gm		
			Black cumin	100gm		
05/04/22					Arrival is healthy and fit for travel and exercise. * water, jiggery and wheat bran to be fed during summer * Regular exercise for walking 3-5 km	
06/04/22			Provical forte	200mL		
			Liv - 52 V	250mL		
11/04/22			Ajawain V	200gm		
			Black salt	100gm		
			Black Cumin	100gm		
12/04/22						
3/04/22			Provical forte	200mL		
			Liv - 52	250mL		
18/04/22			Ajawain	200gm		
			Black salt	100gm		
			Black Cumin	100gm		
19/04/22						
20/04/22			Provical forte	200mL	Elephant is found to be healthy and treated * feeding is as per schedule * vaccination schedule is followed * deworming purpose * Regular exercise and walking * trained & follow skimmer management like water, exercise, shade	
			Liv - 52	250mL		
25/04/22			Ajawain	200gm		
			Black Salt	100gm		
			Black cumin	100gm		
26/04/22						
27/04/22			Provical forte	200mL		
			Liv - 52	250mL		

Approved
Dr: R. B. Dhuri
B.V.Sc; P.G. Dip.
GVSC/43

Dr: R. B. Dhuri
B.V.Sc; P.G. Dip.
GVSC/43

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Vaccination Record

Date	Type of Vaccine	Due Date for next Vaccination	Signature of Veterinary Surgeon
05/03/2021	Tetanus Toxoid 10 ml - S/m. Dt of Mfg: July 2020. Exp Date: June 2023 Batch No. 2300L002A.	Sept 2021.	5/3/2021 Dr. R. B. Dhuri B. V. Sc. & AH GSVC-43
22/9/2021	Tetanus Toxoid 10 ml. I/M. Mfg date July-2020 Exp. date - Jun 2023 Batch No - B. NO - 2300L002A.	March 2022	22/9/2021 Dr. R. B. Dhuri. B V Sc. & AH GSVC-43
23/3/2022	Tetanus Toxoid. 10 ml. I/M. Mfg. date - JULY - 2020 Exp date - Jun - 2023 Batch No - 2300L002D	Sept 2022	23/3/2022 GSVC-43 Dr R. B. Dhuri B. V. Sc. & A. H.

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(4) 116

VACCINATION RECORD

DATE	TYPE OF VACCINE	DUE DATE FOR NEXT VACCINATION	SIGN. OF VETERINARY SURGEON
12/05/2020.	~~Raksha H.S+BQ~~ Haemorhagic Septicemia & BQ. Vaccine Batch No 01HBVD0218 Date of Mfg : 10/2018 Exp. Date : 09/2020.	Next due on May 2021.	Dr. R. B. Dhuri. B. V. Sc & A. H. CVRC-WI
19/7/2021	Raksha H.S. Haemorrhagic Septicaemia Vaccine. Batch No 01HBVD0220 Mfg. Date 08/2020 Exp. Date 07/2022 Dose 6ml S/C.	Next due on July 2022	19/7/2021 Dr. R. B. Dhuri. B. V. Sc & A. H.

Date	Type of Vaccine	NEXT DUE	SIGN OF VET
10/09/2018	FutVac 2 ml S/M FMD Vaccine Batch No. FU 357/2017 M.F.D. DT. 2017 Exp. - Aug 2019	MARCH 2019	10/9/2018 Dr. R. B. Dhuri B. V. Sc. & A. H.
07/03/2019	FUTVAC 2ml I/M FMD Vaccine. Batch NO FU 357/2017 MFD - 2017 Exp - AUG 2019.	SEPT 2019	7/3/2019
30/07/2019	FUTVAC 2ml I/M FMD Vac. Batch No FU 357/2017 Exp - Aug 2019.	FEB 2020	30/7/2019
18/09/2020	Bio FMD Oil Trivalent Vaccine Batch No 33TVC19037 Dt of Mfg - Sept - 2019 Dt of Exp - Aug - 2021	MAR 2021.	18/9/2020 Dr. R. B. Dhuri B. V. Sc. & A. H.
17/X/2021	RAKSHA OVAC (IAL) Batch No - 01FUT0072I Dt. Mfg - 6/021 DF Exp - 5/023	16th April 2022	17/X/2021 Dr. R. B. Dhuri B. V. Sc. & A. H.
14/4/2022	Foot & Mouth Disease vaccine RAKSHA OVAC (IAL) Batch No 01FUT0072I Dt of Mf. 6/021 Dt of Exp - 5/023	13th Sept 2022	14/4/2022 Dr. R. B. Dhuri B. V. Sc. & A. H. Regd. No. 43

DEWORMING RECORD

118 25

DATE	BODY WEIGHT IN KG	MEDICINE / DEWORMER	DOSE
01/10/2020	4200 kg	Fenbendazole bolus	22gm - oral
7th April 2021	4440 kg	Tab Fenbendazole	22gms orally
15/9/2021	4450 kg	Tab Fenbendazole	22.5g orally.
16th Dec 2021	4600 kg	Tab Fenbendazole	23.5gm orally.
20/3/2022	4650 kg	Tab Fenbendazole	24 gm orally

Annexure. III

Vaccination Record

Name of Elephant :- Zomimani
Sex :- Female
Age :-

te of vation	Name of Disease	Due date of next vaccination	Signature of the Veterinary Surgeon
2/2017	Tetanus vaccine Serum Institute of India Batch no - 0181740060 Exp dt IV I/M.	March 2018	
1/9/2017	Entvac RMD vaccine 2ml I/M. Brilliant do. R-V. - 160/2016 Mf APR - 2016 Exdate - March 2018	Feb 2018	1/9/2017
2/2018	Entvac vaccine (RMD) 2 ml I/M Ev - 160/2016 APR - 2016 Expiry - March 2018	Oct 2018	14/2/2018 Dr. R. H. Tiwari B.V.S.
2/2018	Tetanus Vaccine Exp IV - Serum Institute Batch no - 230B70ISD Mf date - Sept - 2017 Ex - Aug 2020	September 2018	17/3/2018
6/2018	Haemorrhagic Septicaemia vaccine :- 5 ml S/C IAL Hyderabad A/PR/AP/96/2 Expt date 1/2019	June 2019	4/6/2018 Dr. R. H. Tiwari B.V.S.

Date	Vaccine Type	Due date	Sign of Veterinarian
16/9/2018	Tetanus vaccine 2400 IU of Serum Institute MFA - 2018 Oct. 2020 July Batch 2BB B701BD	Feb 2019.	16/9/18 Dr. K. B. Dhuri. B. V. Sc & A. H. Grce 28
24/12/2018	FMD vaccine 5 ml. Tetanus vaccine 5 ml	Dec 2019	Vaccine by Dr U.S. Kallappa (Shimoga)
27/7/2019	HS. vaccine - 5 ml/s/c IAL Hydrabad 4/PR/AP/96/R. MFA - Oct 2018	~~Dec 2019~~ July 2020. (Yearly)	27/7/2019 Dr. K. B. Dhuri. B. V. Sc. & A. H. GVC 28
5/8/2019	Tetanus vaccine 5 ml/s/c - Serum Institute MFD--218 Exp 2020 Oct-	Dec 2019.	5/8/19. Dr. K. B. Dhuri. B. V. Sc. & A. H.

Date	Type of vaccination	Due Date	Sig. of veterinarian
10/12/2019	Futvac + FMD vaccine 2 ml I/M Brilliant co LV. 161/2015 Exp Oct 2020.	09/12/2018.	10/12/2019. CVSC-BB
21/12/2019	Tetvac - AHS. Vaccine 5 ml s/c Serum Institute of India MD. 2019 Exp. Dec 2021.	20th May 2020	21/12/2019. Dr. R. B. Dhuri B. V. Sc. & A.H. GVC-BB
6/6/2020	HS & BQ. Vaccine RAKSHA. H.S. & BQ. (IAL) Batch no. 01HBV00218 MR Sale 10/2018 Exp. 09/2020	5/6/2021	6/6/2020. Dr. R. B. Dhuri B. V. Sc. & A.H.
15/06/2020	Tetvac - ATS - Vaccine 5 ml s/c - Serum Institute of India MD - 2019. Exp. Dec 2023	16/12/2020	15/6/2020. Dr. R. B. Dhuri B. V. Sc. & A.H. GVC-BB
13/12/2020	Tetanus Vaccine (Adsorbed) 5 ml. s/c Biological E Ltd. Mfg. - Dec 2019 Exp - Nov 2022. Batch no - A0102320	10/ May/2021.	13/12/2020 Dr. R. B. Dhuri GVSC/C
4/6/2021	HS BQ. (Raksh. H.S.+BQ) 3 ML IAL 01HBV00220 M.F. DATE - 8/20	3/6/2022	4/6/2021 Dr. R. Dhuri GSVC/43

DCFe

31/7/2021	TETANUS VACCINE (ADSORBED) 5 ML S/C. Biological E. Ltd : Hyderabad Mf. date - 2020. Exp date - 2023 batch - A0147620	30/7/2022	31/7/2021 Dr. K. P. A. GSVC-43
25/04/2022.	FMD. VACCINE (INACTIVATED) RAKSHA-OVAC TRIVALENT M.F DATE : 06/21 BATCH NO 01FUT00721 EXP DATE : 05/2023.	APRIL 2023	AVER 25/4/22 V. D. SAVDI VGREM
28/04/2022.	Fentas 1.5 Bolus (11) Nos. Intas phar co Ltd. Batch NO - A-A/144 MFD-Sep 2021 Exp-Aug 2024	Aug-2024	

periodical health check of captive elephant.
Tropical Species Pesm.

Date

9/12/2020 ., Dr Surendra Varma, Asian Elephant Research
2, Dr EK Easwaran Retd. chief forest Veterinary officer, Kerala
3, ms Agnishikha MA (Research assistant to Dr Surendra Varma).
4, ms Ritu Swamy (Research asst.
5, ms Alok Hiseswala Gupta, Representative of People for Animals - Goa.

07/06/2021 Blood Sample

16/07/2021 : Dr mohan G Upadya Assistant Director and Veterinary Hospital Cuff. Pande.

23/10/2021

· Blood Sample, Vaccine
Veterinary Clinic and Pet Physiotherapy
Bangalore

Periodical health check of captive elephant
Sahakari spice farm, curti Ponda.

Date

10/12/2020 1, DR Surendra Varma, Asian Elephant Research
2, DR Eh Easwaran Addl Chief forest veterinary officer kerala
3, Ms Agnishikha MA (Research assistant.
4, Ms Ajitha Swamy (Research assistant
5, Ms Alok Hiscowala Curtorim; representative of people for Animal Care.

07/06/2021 Blood sample

16/07/2021 1, DR Mohan G Umarye Assistant Director govt Veterinary Hospital Curti Ponda.

23/11/2021 Rabies Vaccine
Veterinary clinic and Pet physiotherapy Bangalore.

17/01/2022 – Prospect Report of Captive Elephant at Sahakari Spice farm, Curti, Ponda.
(1). Zoremani — found to be apparently healthy.
by Dr. Mohan G. Umarye, Asst. Director, Govt. Veterinary Hospital, Curti-Ponda.

17/01/2022 — Prospect^n report of Captive Elephant at Tropical Spice Plantation, Kala, Keri Ponda

① Babu
② Manki
} Apparently Healthy condition

126

Date	Item	with kg	Remark
	4 O' clock.		
	water	50 lit	
	coconut leaf	75 kgs	
	6 O' Clock.		
	Boiled Rice.	20 kg	
	ghee	250 gm	✓
	Jaggary	10 kg	
	masala.	100 gm	
	water	75 lit	
	9 O' clock.		
01/2/2022	Baniyan branches	125 kg	
	morning		
	water	125 lit	
	Jack fruit branches.	125 kg	
	9 O' Clock		✓
	Both		
	Boiled Ragi	20 kg	
	Ghee	250 gm	
	Jack fruit branches.	100 kg	
	Noon.		
	water	100 lit	
	Green fodder	100 kg	
	4 O' clock.		
	water	95 lit	
	Coconute leaf	70 kgs	

127

Date	Item	wt in kg	Remark
	6 'O' clock.		
	food supplement	25 kg	
	Jogary	10 kg	
	Ghee	100 gm	
	Boiled Rice.	20 kg	
	water	75 Ltr	
	9 'O' clock.		
	water	50 Ltr	
5/2/2022	Baniyan branches	125 kg	
	morning		
	water	80 Ltr	
	pimpal tree branches	195 kg	
	9 'O' clock.		
	Boiled Rice.	30 kg	
	Bath.		
	pimpal tree branches.	75 kg	
	Noon.		
	water	100 Ltr	
	Banana leaf	75 kg	
	4 'O' clock.		
	water	50 Ltr	
	Banana Tree	100 kg	
	6 'O' clock.		
	Boiled Rice	30 kg	
	Jogary	10 kg	
	Ghee	100 gm	
	masala.	100 gm	

Date	Item	Key	Remark
	9 o' clock.		
	Baniyan tree branches	100 Kg	
26/2/2022			
	Morning.		
	Water -	70 Lit	
	Baniyan tree branches -	100 kg	
	9 o clock		
	Boiled Rice	30 Kg	
	Bath.		
	Jackfruit Tree branches -	70 kg	
	Noon		
	Water	100 Lit.	
	Baniana tree branches	100 kg	
	4 o' clock.		
	Water -	50 Lit	
	Banana Tree.	100 kg	
	6 o' clock.		
	Boiled Rice	20 kg	
	Jaggery	10 kg	
	Digestive Masala	100 gm	
28/2/22			
	Morning		
	Water -	80 Lit	
	Nagpess	100 kg	
	9 o' clock		
	Bath		
	Water	50 Lit	
	Boiled Rice	20 kg	
	Sweet corn grass	100 kg	

* Annual for healthy and soil - potting
* 22 gm Fenbendazole tabs.
* Put for manual mixing - 300 gm.
Range feed.
28/2/22 per Unit

Date	Item	In kg.	Remark
	Noon.		
	water	50 lit	
	sweet trees branches.	1 Wkg	
	4 'o' clock		
	water	50 lit	
	grass	70 kg	
	6 'o' clock		
	Boiled Rice	80 kg	
10/3/2082	masala	100 gm	✓
	Morning		
	water	20 lit	
	Pimpal Tree branches	100 kg	
	9 'o' clock		
	water	50 lit	
	Banana leaf	70 kg	
	Boiled Rice	25 kg	
	Bath		
	Noon		
	water	100 lit	
	coconut leaf	70 kg	
	4 'o' clock		
	Baniyan branches	70 kg	
	6 'o' clock		✓
	Boiled millate	20 kg	
	Jagary	10 kg	
	9 'o' clock		

40
130

Details	Item	Qty In kg	Remarks
28/3/2022	morning		
	Vegetables	40 to 60 kg	
	Banana tree	100 leaves	
	9 o' clock		
	Boiled Rice	25 kg	
	Bath.		
	coconut leaf	50 kg	
	Noon.		
	water	70 to 80 Lit	✓
	sweet corn grass	20 kg	
	4 o' clock.		
	water	50 Lit	
	grass	30 kg	
	6 o' clock		
	Boiled Rice	25 kg	
	Digestive masala	100 gm	
	9 o' clock		
	Jackfruit tree	150 kg	
30/3/2022			
	Morning		
	water	70 to 80 Lit	
	Banana leaf	100 kg	
	9 o' clock		
	Bath.		✓
	Boiled Rice	20 kg	
	Banana leaf	50 kg	
	Noon.		

Date	Item	In kg	Remark
	Noon.		
	water	70 to 80 lit	
	Jackfruit tree	1/4 kg	
	4 o' clock		
	water.	150 lit	
	coconut leaf	30 kg	
	6 o' clock		
	Boiled rice	120 kg	
	19 o' clock		
	Banyan tree.	100 kg	✓
1/4/2022	morning		
	water	70 to 80 lit	
	coconut leaf	50 kg	
	19 o' clock		
	Boiled Rice	120 kg	
	Bath.		
	coconut leaf	70 kg	
	Noon -		
	water.	70 lit	
	Jack fruit tree	400 kg	
	4 o' clock		
	water:	50 lit	
	Grass	70 kg	
	6 o' clock		
	Boiled Rice	120 kg	
	meal.	100 g	
	water	50 lit	

Date	Item	In kg	Remark
	9 o' clock.		
	Pimpal. tree	100 kg	
5/4/2022	morning		
	water	70 to 80 Lt	
	sweet corn gras	70 kg	
	9 'o' clock		
	Bath -	50 Lit.	
	Boiled Rice	20 kg	
	sweet corn grass	50 kg	
	noon.		
	water.	60 Lit	
	coconut leaf	50 kg	
	4 'o' clock		
	water	40 Lit	
	coconut leaf	45 kg	
	6 o' clock		
	Boiled Rice.	30 kg	
	Himalayan Batsa	100 gm	
	9 o' clock.		
	Baniyan tree.	100 kg	
20/4/2022			
	morning		
	water	60 Lit	
	wet grass	50 kg	
	9 'o' clock.		
	Bath		
	Boiled Rice	20 kg	
	wet grass	50 kg	

Date	Item	In kg	Remark
	Noon		
	water	70 lit.	
	pimpal tree	70 kg	
	6 'o' clock		
	Boiled Rice	20 kg	
	water	50 lit	
	9 'o' clock		
	pimpal tree	100 kg	
30/4/2022	morning		Arrival from Healthy dis Sonvad
	water	60 lit	
	wet grass	50 kg	Refuse / proper wat and breast * minutes * Demonst 2gx 2 Tab - minute - 2 - gentle - walking
	9 'o' clock		
	Bath		
	Boiled Rice	25 kg	
	Banana leaf	50 kg	
	4 'o' clock		
	water	70 lit	
	Banana tree	55 kg	
	6 'o' clock		
	Boiled Rice	25 kg	
	Digestive masala	100 gm	
	multi vitamineral with vita.	200 gm	
	9 'o' clock		
	Banyan tree	100 kg	
1/5/2022			
	~~morning~~		
	water	70 to 80 kg	
		24 to 48 kg	

Annexure. IV 1/1

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STATEMENT

Range:- Ponda Range.
Round:- Ponda.

I, Shri. Bhagwan Gangaram Shinde, R/o, Near Sahakari Spice Farm at Curti, Ponda – Goa, having being called by Round Forester Ponda, and informed me that they have received a complaint regarding using elephants for riding tourist.

I say that I am care taker of the elephant which forest department has given me to take care of the 01 no. of elephant named Zonimoni.

I know that I am before Shri. Joao I. A. Fernandes, Round Forester, Ponda Round.

1. I say that I don't have any complaint against any Forest Officer and any other official for giving all ill treatment or abusing physically.

2. I understand that I may be punished on the basis of my confessional statement.

3. I say that no Forest Officer or any other Official have threatened me to make this confession.

4. I say that no Forest Officer or any other Official informed me that on giving confessional statement, I will get less punishment or discharge from the case or will be made approver or witness in the Court.

5. I say that I have to spend apprx. ₹1,96,500/- per month to feed the captive elephant including the salary of elephant Mahut and to his helper.

6. I say that I could not spend so much amounts on the captive elephant on my own. So sometimes I used the captive elephants for riding to the tourist or to the public.

7. I say that my intensions are not to earn from the captive elephant but only to feed them daily as per their requirement.

8. I say that the photos which were shown to me by the Conservator of Forests, North are true to my knowledge.

9. I say that this statement is recorded in English language in my presence, as per my say, this statement is read over to me and explain in local language Konkani. I found that all contents written above are true as according to my say. After reading understanding it carefully and with due confirmation, I Sign below.

(Bhagwan G. Shinde)

Place: Ponda Round Office, Ponda – Goa.

Date: 30/04/2022.

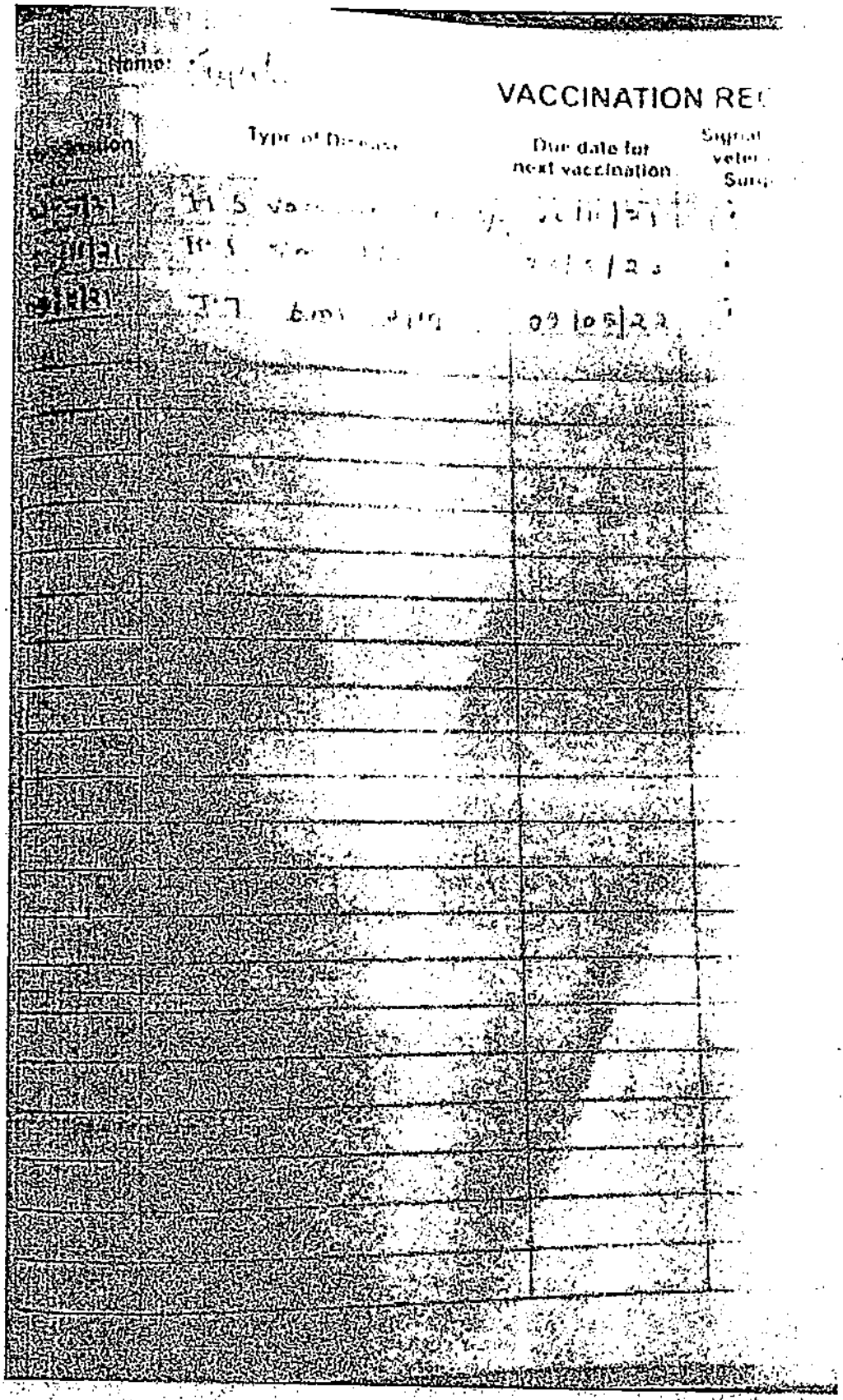
Before me:

(Pramod Mallik)
Forest Guard

(Joao I. A. Fernandes)
Round Forester, Ponda

Annexure V

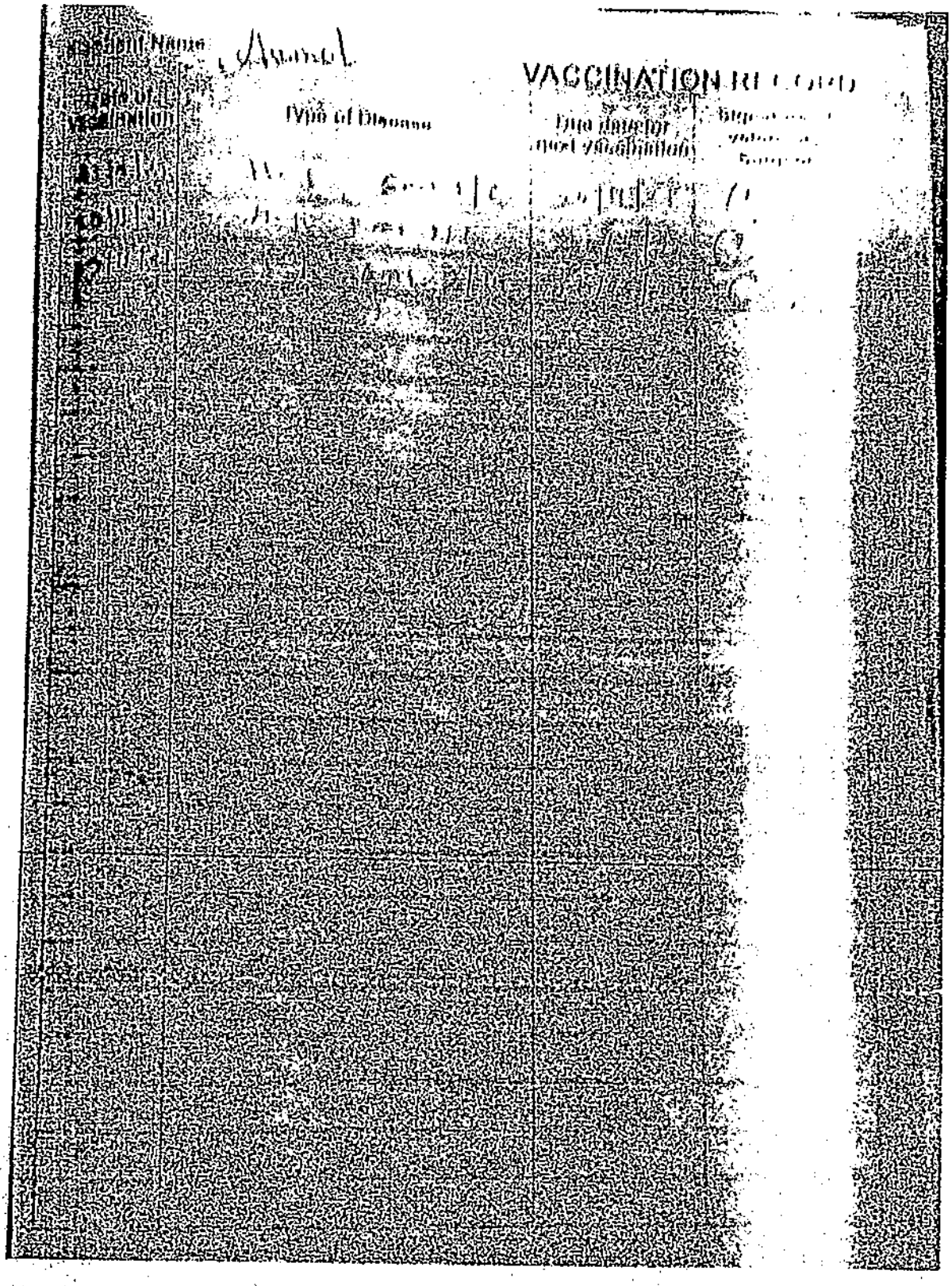
136

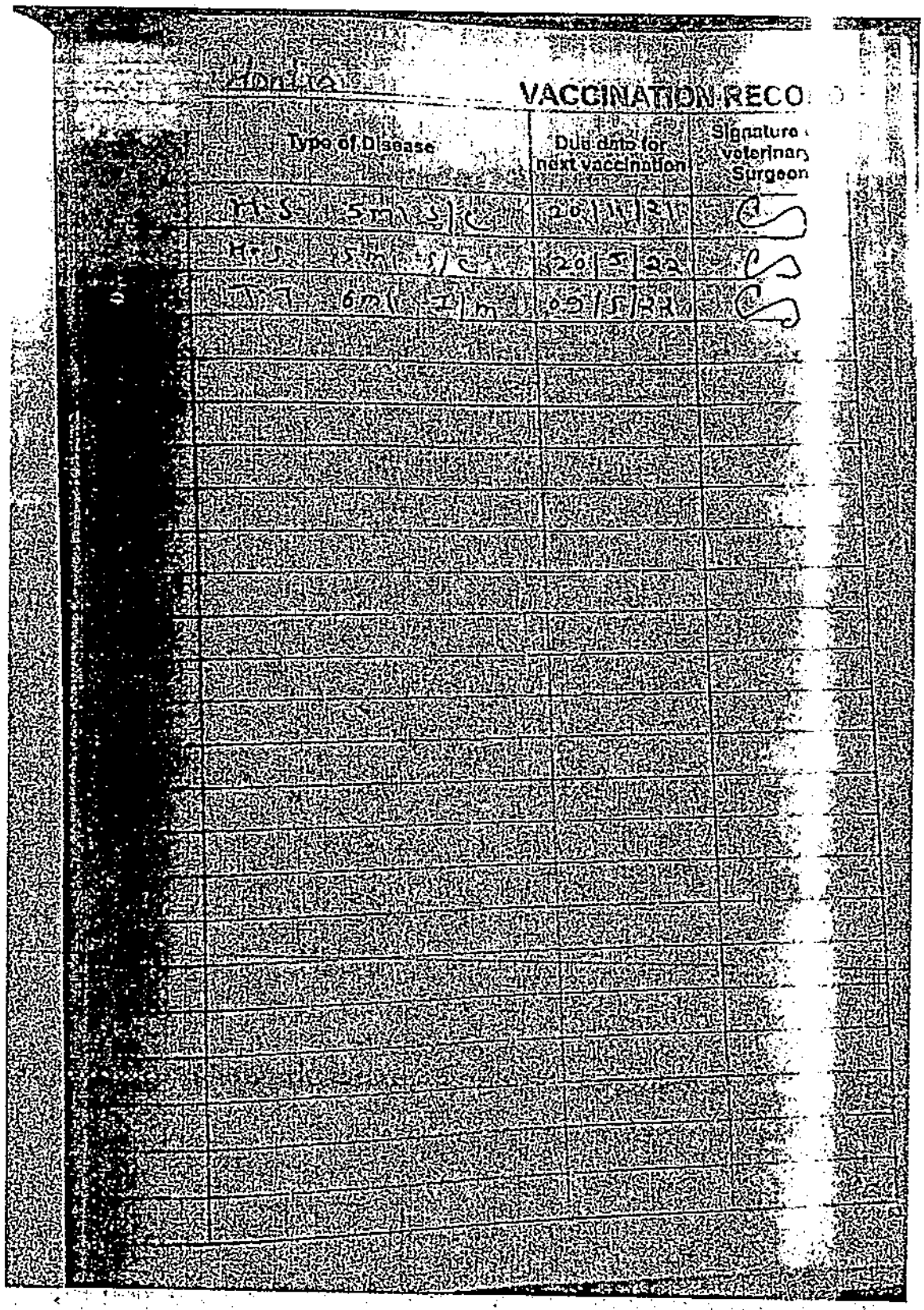


Name:

VACCINATION RE

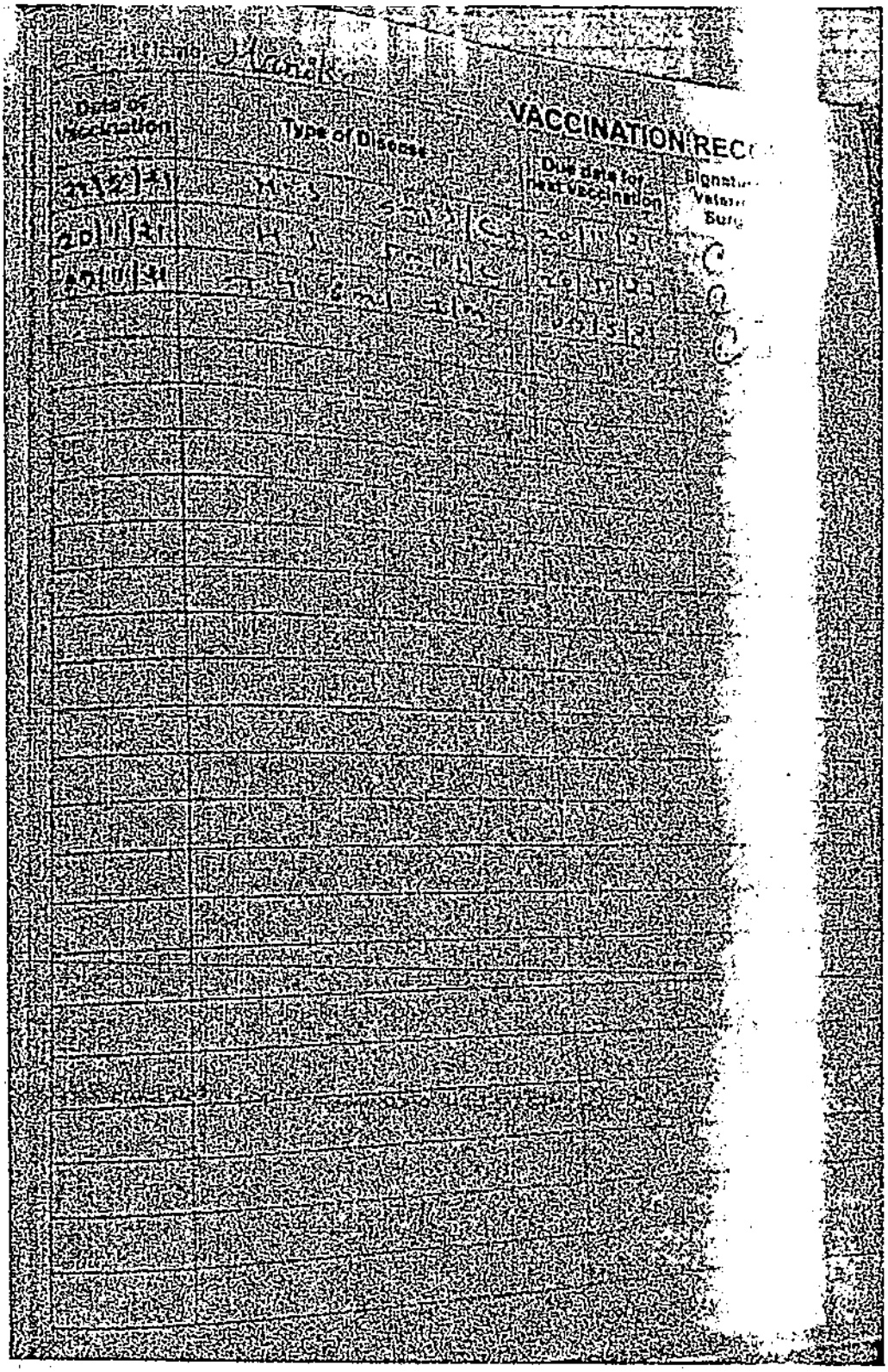
Vaccination	Type of Disease	Due date for next vaccination	Signature veter... Surg...
1st/2nd	H S Va...	...11/21	
2nd/3rd	H S ...	.../2...	
3rd/Booster	T T Boo...	09/05/22	


Student Name
Ahmad
VACCINATION
Date of Vaccination
Type of Disease
Due date for next vaccination



VACCINATION RECO

Type of Disease	Due date for next vaccination	Signature of veterinary Surgeon
H.S 5m/l	20/11/21	
H.S 5m/l	20/5/22	
T.T 6m/l	07/5/22	

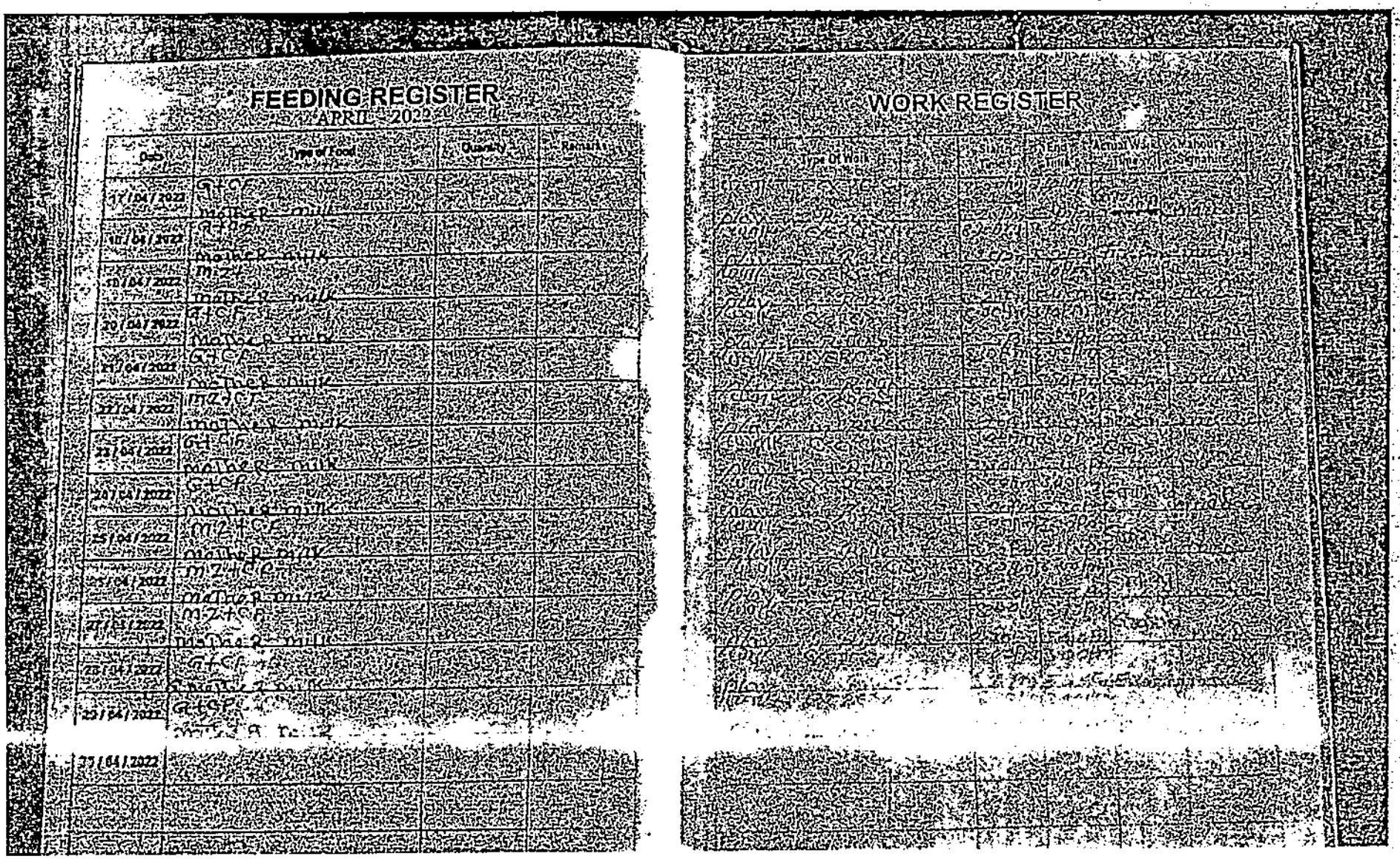

VACCINATION REC
Date of Vaccination
Type of Disease
Due date for next vaccination

140

Client Name: Sunil

VACCINATION RECO

Date of Vaccination	Type of Disease	Due date for next vaccination	Signature of veterinary Surgeon
21/3/21	T.S	3ml 1/c	20/11/21	C
21/11/21	T.S	3ml 1/c	20/5/22	
21/5/22	T.S	4ml 2/m	02/5/23	C



FEEDING REGISTER

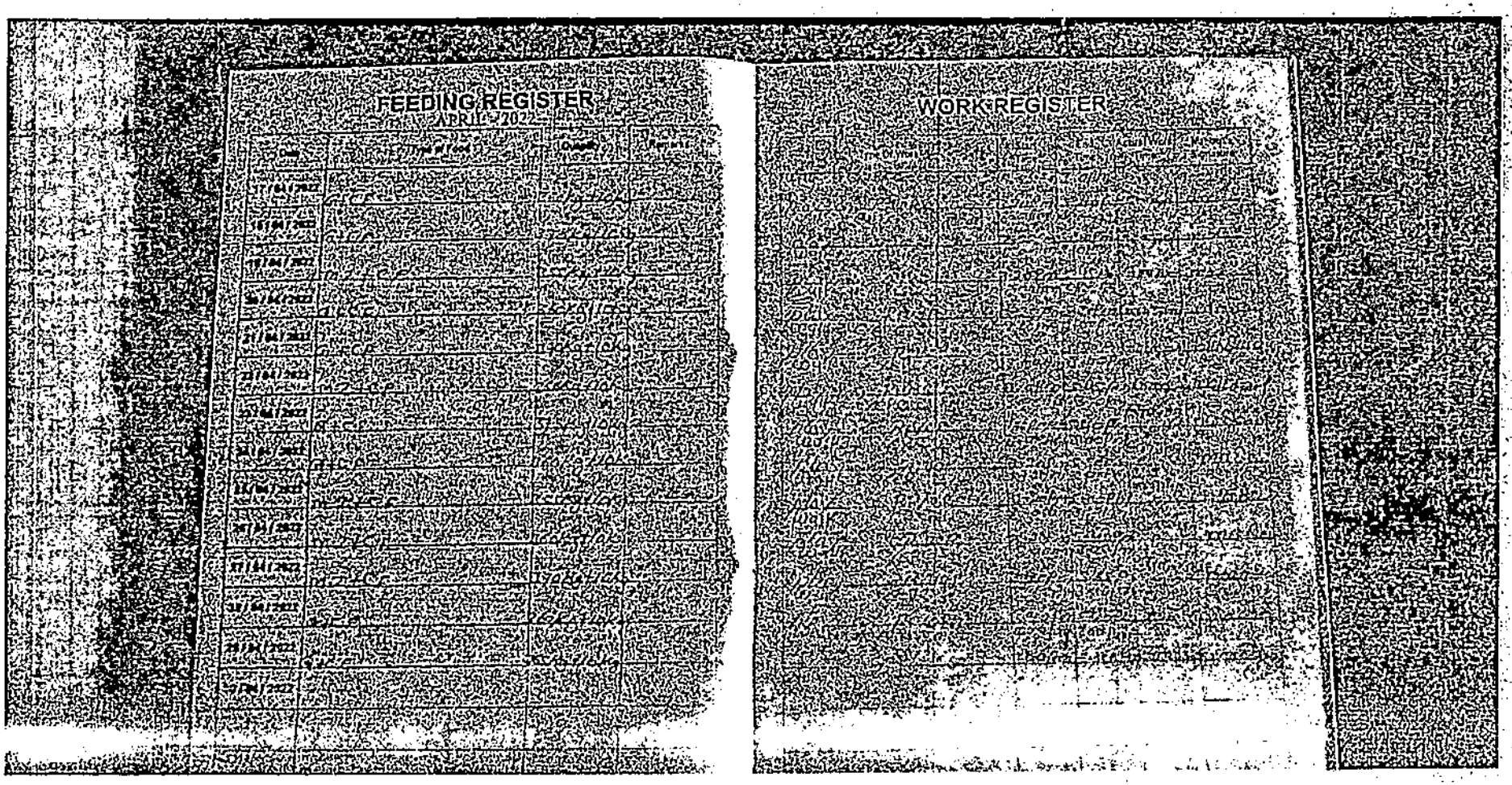
APRIL - 2022

Date	Type of Food	Quantity	Remarks
17/04/2022			
18/04/2022			
19/04/2022			
20/04/2022			
21/04/2022			
22/04/2022			
23/04/2022			
24/04/2022			
25/04/2022			
26/04/2022			
27/04/2022			
28/04/2022			
29/04/2022			
30/04/2022			

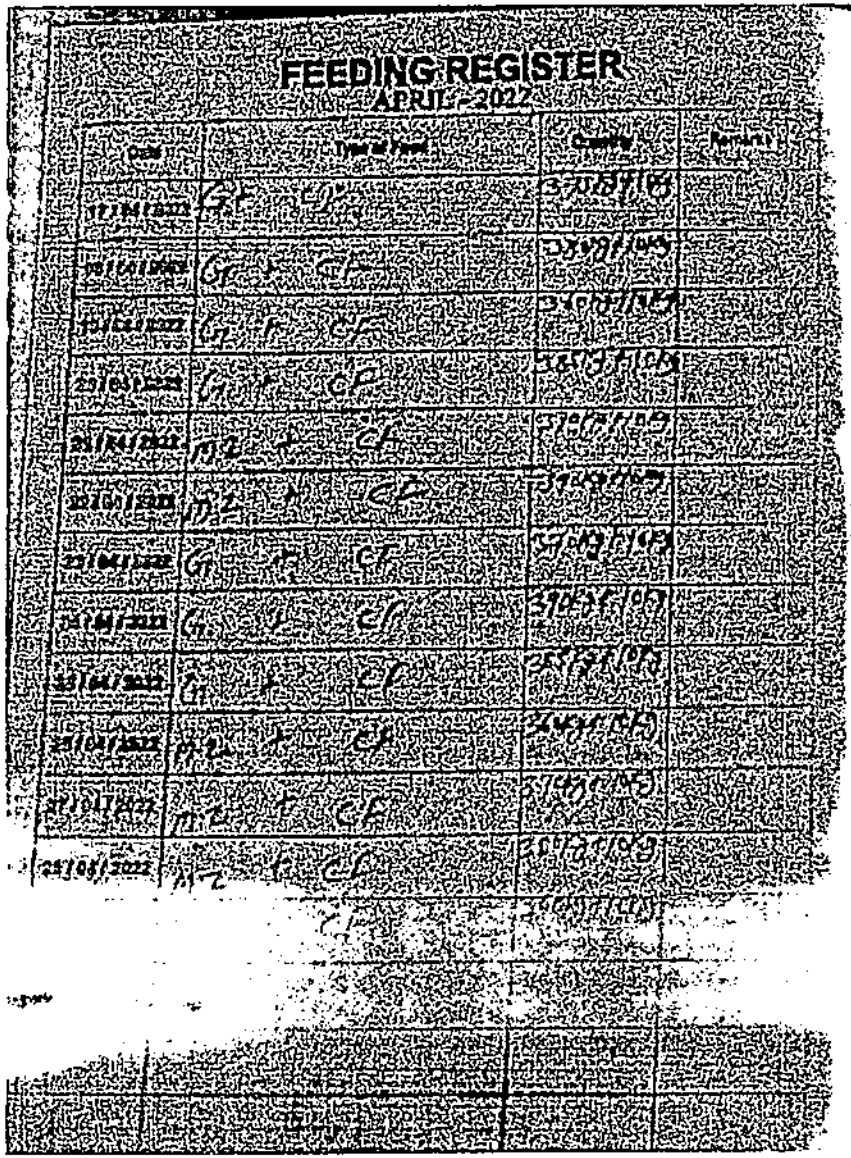
WORK REGISTER

Type of Work	Signature

142



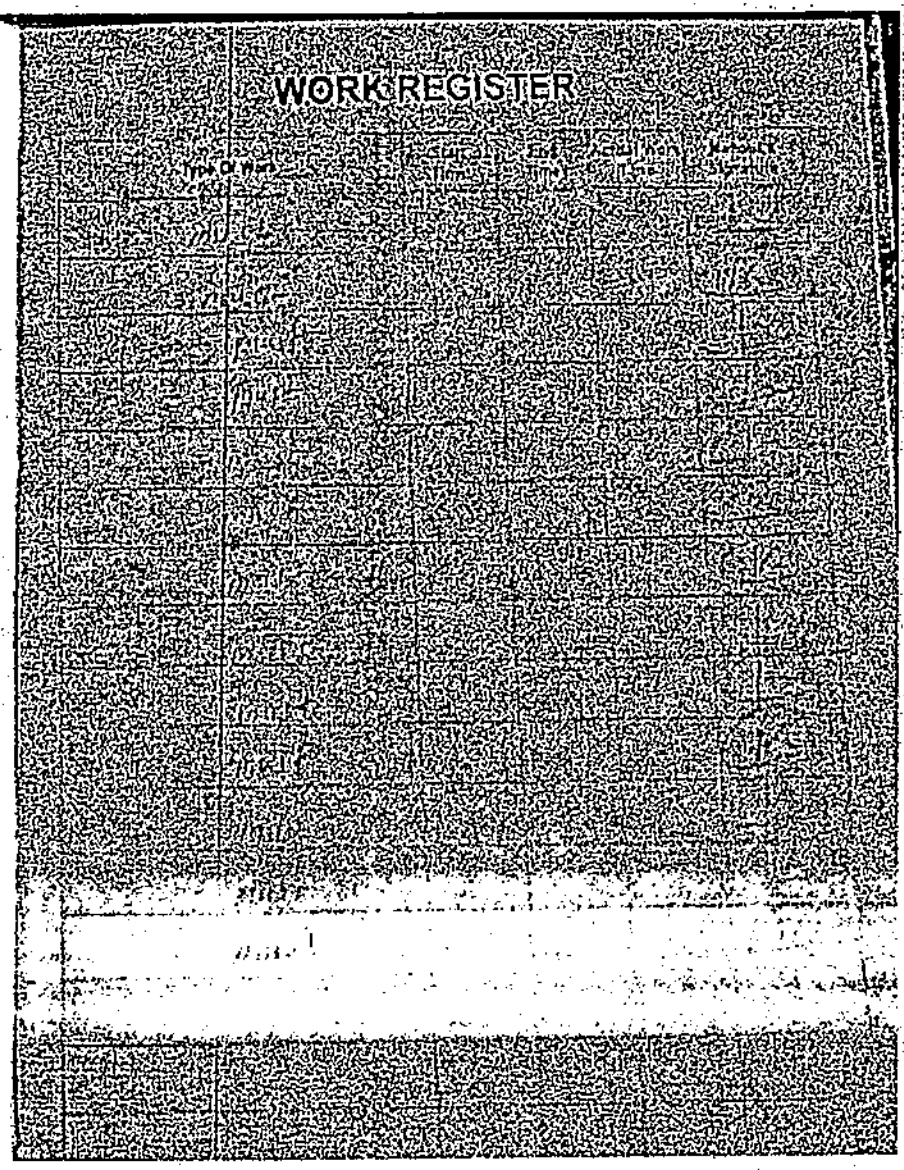
FEEDING REGISTER
APRIL 20
WORK REGISTER



FEEDING REGISTER

APRIL - 2022

Date	Type of Feed	Quantity	Remarks
22/04/2022	GF + CF	3 Quintal	
23/04/2022	GF + CF	3 Quintal	
24/04/2022	GF + CF	3 Quintal	
25/04/2022	GF + CF	3 Quintal	
26/04/2022	GF + CF	3 Quintal	
27/04/2022	GF + CF	3 Quintal	
28/04/2022	GF + CF	3 Quintal	
29/04/2022	GF + CF	3 Quintal	
30/04/2022	GF + CF	3 Quintal	
01/05/2022	GF + CF	3 Quintal	
02/05/2022	GF + CF	3 Quintal	
03/05/2022	GF + CF	3 Quintal	
04/05/2022	GF + CF	3 Quintal	



WORK REGISTER

Type of Work	Remarks

Annexure - VI

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Government of Goa
Directorate of Animal Husbandry & Veterinary Services
Pashusamvardhan Bhavan, Patto,
Panaji, Goa - 403 001, India.

Phone Nos.: +91 (0832) 2437245
Website : www.ahvs.goa.gov.in

Fax No.: +91 (0832) 2437244
E-mail: dir-ahvs.goa@nic.in

No. 14-9-AH/GSAWB/2020-21/ 5399

Dated: 15/12/2020

INWARD No. 9477
PAGE No. 30
DATED 18/12/20

ORDER

The following Officers are hereby deputed to carry out periodical health check up and inspection of captive elephants at 4 months interval, and submit the Report to the Dy. Conservator of Forests, North Goa Division, Ponda-Goa.

Sr. No.	Name of the Officer
1	Dr. Mohan Umarye, Assistant Director, Veterinary Hospital, Ponda.
2	Dr. Ketan Chawgule, Veterinary Officer, Veterinary Dispensary, Mollem.

Director (AH)

To,

1. Dr. Mohan Umarye,
   Assistant Director, Veterinary Hospital, Ponda.
2. Dr. Ketan Chawgule,
   Veterinary Officer, Veterinary Dispensary, Mollem.

Copy to:

1. Jabestin A., IFS, Dy. Conservator of Forests,
   Forest Department, Altinho, Panaji-Goa.
2. The Dy. Conservator of Forests, North Goa Division,
   Ponda-Goa.

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GOVERNMENT OF GOA
Office of the Deputy Conservator of Forests,
North Goa Division,
Ponda – Goa, 403 401

Ph No: 0832-2312856 Fax No: 2312095 email:- dcfnorth-forest.goa@nic

No: 4/DCFN/WL/2022-23/ 16 Dated: 28 /04/2022
Vaisakha ७(Saka) 1944

To,
The Addl. Principal Chief Conservator of Forests
& Chief Wildlife Warden,
Forest Department,
Panaji-Goa.

Sub:- Inspection report of Captive Elephant.

Sir,

With reference to the subject cited above, it is to inform that the Veterinary doctor from Government Veterinary Hospital, Mollem Goa has examined the following elephants on 04/04/2022 and it was found that they are healthy, fit and free from communicable disease.

1. Rekha (female), age 25.7 years (Approx), Microchip. No. 956000004529159
2. Manik (Male), age 53.7 years (Approx), Microchip No. 961001000002966
3. Montora (Female), age 50.7 years (Approx), Microchip No.961001000001085
4. Sujatha (Female), age 20.7 years (Approx), Microchip. No. 956000004529114
5. Aromal (Male), age 19.7 years (Approx), Microchip. No. 956000004529144
6. Dumbo (Male) age 2.7 years (Approx), Microchip. No. 956000011731950

Submitted for kind information please.

Yours faithfully,

Encl; As above

Jiss K. Varkey, IFS
Dy. Conservator of Forests
North Goa Division
Ponda-Goa.

Government of Goa
Forest Department
Office of the
Range Forest Officer
Collem Range

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No.30-Wildlife /RFO/CLM/22-23/ 99 Dated: 12 /04/2022

DY. CONSERVATOR OF FORESTS
NORTH GOA DIVISION,
PONDA-GOA.
INWARD No. 396
PAGE No. 56
DATED 13/4/22

To
The Dy. Conservator of Forests,
North Goa Division
Ponda-Goa.
Through S.D.F.O. Ponda

Sub Div. Forest Officer, Ponda
Inward No. 105
Page No. 07
Dated 13/04/2022

Sub: - Submission of Veterinary Health Certificate.

Sir,

With reference to the above, I am to inform you that the Round Forester, Collem alongwith beat Guard and Veterinary Officer, Government Veterinary Dispensary, Mollem had conducted medical examination of 06 Captive Elephant belong to Joseph Barreto on dated. 04/04/2022.

The Veterinary Health Certificate 06 Nos. are enclosed herewith for your kind information and further needful action.

Yours faithfully

Encl: - As above

(N. D Prabhudessai)
Range Forest Officer
Collem Range

Submitted
Sub Divisional Forest Officer
North Goa Division
Ponda - Goa

"Swach Bharat /Nital Goem"
Towards greener and cleaner Goa

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Government of Goa
Directorate of Animal Husbandry & Veterinary Services
Panaji- Goa

VETERINARY HEALTH CERTIFICATE

This is to certify that I have on this day 4th April 2022 examined the Elephant described below and said to be belonging to Shri Joseph Barreto residents of Rua De Ourem, Panjim- Goa. And the Elephant are housed at Jungle Book, Collem Dharbandora- Goa.

Description of the Elephant:-

1. Name	Rekha
2. Sex	Female.
3. Age	25-7 yrs (Approximate)
4. Height	7ft. 7 Inch
5. Nails	18 nos
6. Tail	Full
7. Eyes	Good, light Brown colour
8. Ears	Good
9. Colors	Black
10. Tusk Size	—
11. Identification Mark	—
12. Microchip No	956000004529159

On careful examination of the animal it was found to be healthy, fit and free from communicable disease at the time of examination.

This certificate is issued at the request of Forest Department Collem-Go.

Date:04/04/2022

04/04/22

Place:- Mollem

Dr. Ketan B. Chowgule
Veterinary Officer,
Government Veterinary Dispensary
Mollem - Goa 403410.

5C

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Government of Goa
Directorate of Animal Husbandry & Veterinary Services
Panaji- Goa

VETERINARY HEALTH CERTIFICATE

~~This is to certify that I have on this day~~ 4th April 2022 examined the Elephant described below and said to be belonging to Shri Joseph Barreto residents of Rua De Ourem, Panjim- Goa. And the Elephant are housed at Jungle Book, Collem Dharbandora- Goa.

Description of the Elephant:-

1. Name	Arjunal.
2. Sex	Male
3. Age	19:7 yrs. (approximate)
4. Height	18 ft. 10 Inches.
5. Nails	18 Nos.
6. Tail	full.
7. Eyes	Good, light Brown coloured
8. Ears	Good, Cut mark on right ear.
9. Colors	Black
10. Tusk Size	Left- length 21 cms, Width 16 cm Right length 19 cms, Girth 15-5 cms.
11. Identification Mark	Cut mark on right ear.
12. Microchip No	956000004529144

On careful examination of the animal it was found to be healthy, fit and free from communicable disease at the time of examination.

This certificate is issued at the request of Forest Department Collem-G

Date:- 04/04/2022

Place:- Mollem

04/04/22.
Dr. Ketan B. Chowgule
Veterinary Officer,
Government Veterinary Dispensary
Mollem - Goa 403410.

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Government of Goa
Directorate of Animal Husbandry & Veterinary Services
Panaji- Goa

VETERINARY HEALTH CERTIFICATE

This is to certify that I have on this day 4th April 2022 examined the Elephant described below and said to be belonging to Shri Joseph Barreto residents of Rua De Ourem, Panjim- Goa. And the Elephant are housed at Jungle Book, Collem Dharbandora- Goa.

Description of the Elephant:-

1. Name Montora
2. Sex Female
3. Age 50+ 7 yrs (approximate)
4. Height 7 Ft. 9 Inches.
5. Nails 18 Nos.
6. Tail Full
7. Eyes Good, Lt. light Brown coloured & white
8. Ears Good, cut mark in right ear
9. Colors Black
10. Tusk Size Left side - length 3 ins, girth 3 ins.
Right side - length 3 ins, girth 3 ins.
11. Identification Mark Cut mark on right ear.
12. Microchip No 960010000016 85

On careful examination of the animal it was found to be healthy, fit and free from communicable disease at the time of examination.

This certificate is issued at the request of Forest Department Collem.

Date:-04/04/2022

Place:- Mollem

04/04/22

Dr. Ketan B. Chowgule
Veterinary Officer,
Government Veterinary Dispensary
Mollem- Goa. 403410.

61

157

Government of Goa
Directorate of Animal Husbandry & Veterinary Services
Panaji- Goa

VETERINARY HEALTH CERTIFICATE

This is to certify that I have on this day 4th April 2022 examined the Elephant described below and said to be belonging to Shri Joseph Barreto residents of Rua De Ourem, Panjim- Goa. And the Elephant are housed at Jungle Book, Collem Dharbandora- Goa.

Description of the Elephant:-

1. Name Sugatha
2. Sex Female
3. Age 20-7 yrs. (approximate)
4. Height 8 ft.
5. Nails 18 Nos.
6. Tail Full
7. Eyes Good, light Brown coloured.
8. Ears Good, bit mark on right ear
9. Colors Black
10. Tusk Size Left Side length - 7cms. Girth - 11 Cms. Right-side Length - 14cms. Girth 13 cms.
11. Identification Mark Fibrotic growths on both forelimbs above elbow joint
12. Microchip No 956000004529114

On careful examination of the animal it was found to be healthy, fit and free from communicable disease at the time of examination.

This certificate is issued at the request of Forest Department Collem-Go

Date:-04/04/2022

04/04/22.

Place:- Mollem

Dr. Ketan B. Chowgule
Veterinary Officer,
Government Veterinary Dispensary
Mollem - Goa 403410.

15

Government of Goa
Directorate of Animal Husbandry & Veterinary Services
Panaji- Goa

VETERINARY HEALTH CERTIFICATE

This is to certify that I have on this day examined the Elephant described below and said to be belonging to Shri Joseph Barreto residents of Rua De Ourem, Panjim- Goa. And the Elephant are housed at Jungle Book, Collem Dharbandora- Goa.

Description of the Elephant:-

1. Name	Dumbo
2. Sex	Male
3. Age	27 yrs.
4. Height	150 cm (4.1 ft)
5. Nails	20 Nos
6. Tail	Full
7. Eyes	Good, light- Brown Colour
8. Ears	Good.
9. Colors	Black.
10. Tusk Size	Right side length - 9 cm width - 8 cm ~~left side length - 9 cm width - 8 cm~~
11. Identification Mark	
12. Microchip No	956000001731950.

On careful examination of the animal it was found to be healthy, fit and free from communicable disease at the time of examination.

This certificate is issued at the request of Forest Department Collem-G

Date:- 04/04/2022

Place:- Mollem

04/04/22

Dr. Ketan B. Chowgule
Veterinary Officer,
Government Veterinary Dispensary
Mollem - Goa. 403410.

63

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Government of Goa
Directorate of Animal Husbandry & Veterinary Services
Panaji- Goa

VETERINARY HEALTH CERTIFICATE

~~This is to certify that~~ I have on this day 4th April 2022 examined the Elephant described below and said to be belonging to Shri Joseph Barreto residents of Rua De Ourem, Panjim- Goa. And the Elephant are housed at Jungle Book, Collem Dharbandora- Goa.

Description of the Elephant:-

1. Name	Manik
2. Sex	Male
3. Age	53.7 yrs (approximate)
4. Height	8 Ft. 9 Inches.
5. Nails	18 nos.
6. Tail	Full.
7. Eyes	Good, light Brown Coloured
8. Ears	Good, cut mark in right ear, both have uneven border
9. Colors	Black
10. Tusk Size	Left - length - 64 cms, Girth - 40 cms. Right - 68 cms. Girth - 35 cms.
11. Identification Mark	
12. Microchip No	961001000002966

On careful examination of the animal it was found to be healthy, fit and free from communicable disease at the time of examination.

This certificate is issued at the request of Forest Department Collem-G

Date:-04/04/2022

Place:- Mollem

04/04/22

Dr. Kedar P. Chari
Veterinary Officer,
Government Veterinary Dispensary,
Mollem, Goa 403410.

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GOVT OF GOA
OFFICE OF THE ASSISTANT DIRECTOR
VETERINARY HOSPITAL
DEPT. OF A.H. & V.S.
CURTI PONDA - GOA-403401

Email: adponda-ahvs.goa@nic.in Ph:0832-2313027

No.GVHP/ F.09/2021-22/ 259 Dated: 19/07/2021

DY. CONSERVATOR OF FORESTS
NORTH GOA DIVISION,
PONDA-GOA.
INWARD No. 3225
PAGE No. 34
DATED 20/7/21

To,
The Dy. Conservator of Forests,
North Goa Division,
Ponda-Goa.

Sub:- Inspection report of Captive Elephant.

Ref :-Dir.AH&VS No.14-9/AH/GSAWB/20-21/5399 dt.16/12/2020.

Sir,

This is to certify that I have on 16th July 2021 inspected the elephant described below and seized by Dept. of Forests, Govt. of Goa presently housed at Sahakari Pice Farm,Curti- Ponda.

3) Name of elephant : Zanmoni
Sex : Female
Age : 36 years
Microchip No. : 956000004526374

Certified that during the inspection of the elephant was found to be apparently healthy.

Yours faithfully

(Dr. Mohan G. Umarye)
Assistant Director,
Govt. Veterinary Hospital,
Curti-Ponda.

Copy to:

1. The Director, AH & VS, Patto, Panaji-Goa.
2. Shri Bhagwan Shinde
C/o Sahakari Spice Farm,Curti-Ponda) For their records

GOVT OF GOA
OFFICE OF THE ASSISTANT DIRECTOR
VETERINARY HOSPITAL
DEPT. OF A.H. & V.S.
CURTI PONDA – GOA-403401

Email: adponda-ahvs.goa@nic.in Ph:0832-2313027

No.GVHP/ F.09/2021-22/ 259 Dated: 19/07/2021

DY. CONSERVATOR OF FORESTS
NORTH GOA DIVISION,
PONDA-GOA.
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To,
The Dy. Conservator of Forests,
North Goa Division,
Ponda-Goa.

Sub:- Inspection report of Captive Elephant.

Ref :-Dir.AH&VS No.14-9/AH/GSAWB/20-21/5399 dt.16/12/2020.

Sir,

This is to certify that I have on 16th July 2021 inspected the elephant described below and seized by Dept. of Forests, Govt. of Goa presently housed at Sahakari Pice Farm,Curti- Ponda.

3) Name of elephant : Zanmoni
Sex : Female
Age : 36 years
Microchip No. : 956000004526374

Certified that during the inspection of the elephant was found to be apparently healthy.

Yours faithfully

(Dr. Mohan G. Umarye)
Assistant Director,
Govt. Veterinary Hospital,
Curti-Ponda.

Copy to:

1. The Director, AH & VS, Patto, Panaji-Goa.
2. Shri Bhagwan Shinde
C/o Sahakari Spice Farm,Curti-Ponda } For their records

IN THE HIGH COURT OF BOMBAY, AT GOA

PIL Writ Petition No. 954 of 2022(F)

People for Animals ... Petitioner

Versus

The Principal Chief Conservator
& Ors ...Respondents

AFFIDAVIT-IN-REPLY ON BEHALF OF RESPONDENT NO. 6

I, SHRI. SANDEEP SATARKAR, son of late Baburao Satarkar, major of age, married, Indian National, R/o H.No. A-14, Arla Bazar Keri Ponda Kerim Goa, proprietor of the Respondent No. 6, do hereby state on solemn affirmation as under:

1. I state that I am conversant with the facts of the present case and competent to file the present Affidavit. I state that I am filing the present Affidavit in Reply for a limited purpose of placing in record the correct factual position *qua* the allegations made against the answering respondent. The

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answering respondent crave leave of this Hon'ble Court to file a detailed Affidavit in reply along with documents.

2. At the outset, the Answering Respondent denies all and singular the contents of the captioned PIL WP, and no part thereof shall be deemed to be admitted for the lack of specific traverse. That the Answering Respondent is presently not filing a para-wise reply to the instant petition, however, it reserves liberty to do so, with the permission of this Hon'ble Court.

3. At the outset, it is stated that the two elephants which in the custody of the respondent No.6 are presently not being used for any kind of commercial activity. The answering respondent states that allegations made against the respondent No.6 in this context are factually incorrect. Further, certain photographs which have annexed by the petitioner are some old photographs, which are deliberately and malafidely annexed to the petition to suggest as if the respondent No.6 is

presently using the elephants for commercial activities, with the sole intention to create prejudices against the answering respondent. The fact that elephants are not being used for commercial activities can be verified from the officials of the Forest Department, Government of Goa, who have been regularly conducting site visits/inspection of the elephants to monitor their welfare.

4. As regards the welfare and care of the elephants, it is stated that the answering respondent has been diligently taking outmost care of the 2 elephants by providing necessary feed, vaccinations, necessary staff to take care, etc. The answering respondent has employed 4 Mahout to take care of the elephants. Also there are other 6-7 staff who are appointed for taking care of the elephants. The answering respondent incurs on an average cost of about Rs.30 lakhs per year for taking care of the elephants. The officer of the forest department visits weekly basis to the answering respondent's farm to

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inspect and verify the feeding, vaccination etc. and to monitor general wellbeing of the elephants.

5. The answering respondent states that for better rehabilitation and welfare of the explants and taking into consideration the recent Covid-19 pandemic and consequent bleak business scenario at the spice plantation of the answering respondent, the answering respondent vide letter dated 05.07.2021 addressed to Chief Wild Life Warden, Forest Department, Government of Goa, had requested NOC for sending the elephants to Elephant Welfare and Rehabilitation Centre at Jamnagar, Gujarat, which is operated by Radhe Krishna Temple, Elephant Welfare Trust, which is recognised by Gujarat Wildlife Department, Government of Gujarat. In the said centre there are more than 100 numbers of elephants with sufficient and trained staff to take care of the elephants. The answering respondent states that such a request was made by the answering respondent on account of bleak business scenario occasioned on account of Covid-19 pandemic and

increasing expenses for food and other welfare measures for the elephants. The copy of the letter dated 05.07.2021 is annexed and marked hereto as **Annexure R-1.**

6. I say that what is stated by me in forgoing paragraphs of this Affidavit-in- reply namely 1 to 6 are true to the knowledge of respondent.

PLACE: Porvorim Goa
DATE: 04.05.2022

DEPONENT

ADVOCATE FOR RESPONDENT No.
Abhijit Gosawi

Solemnly affirmed before me by Shri Sandeep Sabnekar who is identified before me by Adv A. Gosavi whom I personally know. Dated this 4th day of May 2022

Section Officer
High Court of Bombay
at Goa, Porvorim

Annexure R-1 16

[illegible]
M/s. Tropical Spice Plant[illegible]
Arla, Keri, Ponda Goa

Date:

To,
The Chief Wildlife Warden
Forest Department,
Panaji- Goa.

Sub: Sending of our captive elephants by name "BABU" and "MANIK" to Gujrat.

Respected Sir,

I, Mr. Rohidas Baburao Satarkar, the owner and caretake of my captive male elephant by name "BABU" Microchip No. 0006830786 and the female elephant by name "MANIK" Microchip No. 95600000, staying at M/s. TROPICAL SPICE PLANTATION, ARLA, KERI, PONDA- GOA, would like to state that in this pandemic situation and due to heavy increasing expenses for food and other care of an elephant, I am not afford to cater the requirements of my captive elephants at Arla, Keri, Ponda- Goa. Hence, I have decided to send our above captive elephants to RADHE KRISHNA TEMPLE, ELEPHANT WELFARE TRUST, which is well known for their Elephant Welfare and Conservation purpose at Khambhaliya Taluka and Dist. Jamnagar (Gujrat) which is recognised by the state of Gujrat Wild life Department, Gujrat, where the trust is taking very good and proper care of more than 100 numbers of elephants with sufficient and trained staff to take care of elephants.

Hence, Your authority is requested to kindly issue us a NOC (no objection) to send the above elephants to above mentioned address. Kindly do the needful and oblige.

Thanking You

Yours faithfully,

(Rohidas Baburao Satarkar)

Dy. Conservator of Forests
O/o PCCF (WL) Goa

Office of the
Pr. Chief Conservator of Forests
Altinho, Panaji, Goa 403001

Date: 8/7/21

TYPED COPY

From:
Mr. Rohidas Baburao Satarkar
M/s. Tropical Spice Plantation
Arla, Keri, Ponda-Goa

To,
The Chief Wildlife Warden,
Forest Department,
Panaji Goa

Sub.: Sending of our captive elephants by name "Babu" and "MANIK" to Gujrat.

Respected Sir,

I Mr. Rohidas Baburao Satarkar , the owner and caretaker of my captive elephant by name "BABU" Microchip No.000683078E and the female elephant by name "MANIK" Microchip No.95800000, staying at M/s. TROPICAL SPICE PLANTATION, ARLA, KERI, PONDA-GOA, would like to state that in this pandemic situation and due to heavy increasing expenses for food and other care of an elephant, I am not afford to cater the requirements of my captive elephants at Arla, Keri, Ponda-Gao. Hence, I have decided to send our above captive elephants to RADHE KRISHNA TEMPLE, ELEPHANT WELFARE TRUST, which is well known for their Elephant Welfare and Conservation purpose at Motikhavdi Taluka and Dist. Jamnagar (Gujrat) which is recognised by the state of Gujrat Wild Life Department, Gujrat, where the trust is taking very good and proper care of more than 100 numbers of elephants with sufficient and trained staff to take care of elephants.

Hence, your authority is requested to kindly issue us a NOC (no objection) to send the above elephants to above mentioned address. Kindly do the needful and oblige.

Thanking you.

Sd/-
(Rohidas Baburao Satarkar)

Dy. Conservator of Forest,
Ponda Goa

(156)

IN THE HON'BLE HIGH COURT OF BOMBAY, GOA BENCH, AT PORVORIM

P.I.L. Writ Petition No. 30/20__

People for Animals – Goa ...Petitioner

v/s

The Principal Chief Conservator of Forests & Chief Wildlife Warden and Ors. ...Respondents

AFFIDAVIT IN REPLY ON BEHALF OF THE RESPONDENT NO. 7

I, Mrs. Suparna Baksi Ganguly, age 61, R/o. A3, First floor, Kensington Apartment, 18/1, Ulsoor Cross road, Off Bazaar Street, Ulsoor, Benguluru, President & Co- founder Trustee of the Respondent no. 7 herein in the above petition, do hereby most respectfully state on oath and solemnly affirmation as under;

1. I say that I have read and understood the contents of the present petition and in reply thereto state and submit as under:

2. I say that the Respondent no.7 was registered in July 1999 as a public charitable trust for the conservation and welfare of Wildlife in urban and rural areas around Bangalore, India. I say that the Respondent no. 7 was set up by the Trustees of Compassion Unlimited Plus Action (CUPA), in response to a keenly felt need to provide relief to wild animals, birds and reptiles; including medical treatment and housing; as well as to handle cases of cruelty involving these animals. I say that the Respondent no.7 has established the Bannerghatta Rehabilitation Centre, which is a model Wildlife Rescue Centre and an Elephant Care Facilities (ECF) in Malur, Karnataka. I say that between the years 2006 - 2015, the Respondent no. has researched and published more than 50 reports on the welfare status and management of captive elephants across India.

NOTARY G. Chandrashekaraiah M.S. Bangalore Urban & Rural Dist. Karnataka Reg. No. 10099 Expiry Date 24.03.2023 GOVT. OF INDIA

For Wild Life Rescue and Rehabilitation Centre

Suparna Baksi Ganguly

Hon. Trustee

3. I say that the Respondent no. 7 based on its expertise, and long-standing working relationship with the Forest Department, has been handed custody of three captive elephants who are housed in the Elephant Care Facility in Dist. Kolar, Karnataka. I say that presently the Respondent no. 7 in collaboration with the Karnataka Forest Department, is moving to a larger Elephant Care facility in Dist. Kolar, Karnataka, to increase our capacity to care for more captive elephants in need.

4. I say that this Hon'ble Court in P.I.L. no. 7/2020 vide order dated 02/11/2020 had directed an inspection to be conducted by the State Forest Authorities along with a Senior Elephant Ecologist Surendra Varma and his team to examine all the elephants seized by the forest Department and stationed at three spice farm resorts namely 1.Sahakari Farm Ponda, 2. Tropical Spice Farm, Ponda 3. Jungle Book Collem. The said committee in its report dated 16/02/2021, strongly recommended that it is necessary that three of the captive elephants (two with Tropical Farm and one with Sahakari Farms) all of whom scored the lowest on 'Welfare of the Animal' index are moved to a dedicated Elephant Care Facility that allows them to live their lives as close to their natural environment. I say that by the said report the said inspection team has given several recommendations which were required to be implemented by Respondent nos 4, 5 & 6.

5. I say that the Respondent no. 1, the Forest Department, has filed a Compliance Report dated 04/05/2022, stating that the Respondent nos. 5 & 6 have not fully implemented the recommendations of the Surendra Varma Committee to improve the welfare of the elephants.

6. With our several years of experience with welfare of captive elephants, I respectfully submit that, it will be impossible to improve the welfare of these three elephants, namely Elephant Janumani at Sahakari spice farm, and Elephants Babu and Chanchal at Tropical, spice farm unless they are physically removed from the two spice farms and transferred to rescue centres.

NOTARY Ch. Ullashekaraiah Bangalore Urban Dist. Karnataka Reg. No. 10099 Expiry Date 24.05.2023 GOVT. OF INDIA

For Wild Life Rescue and Rehabilitation Centre

Hon. Trustee

7. I further submit that we have pursuant to several meetings, submitted an expression of interest vide letter dated 21/10/2021 requesting execution of an Memorandum of Understanding with the Respondent No. 1, for providing technical and financial support for establishing a dedicated Elephant Care Facility in Goa which will undertake daily care, upkeep and veterinary support for the elephants. I further submit that we had also with the help of the Deputy Conservator Forests, Ponda, identified land for the proposed (ECF) at Devsado, Hathkhamba Goa Road Tatodi Part 2, Dharbandora. I say that till date we have not received any response to our letter of expression of interest.

   Annexed hereto copy of the letter dated 21/10/2021 as **Annexure A.**

8. In the alternative I submit, that the Principal Chief Conservator of Forests (Wildlife) & Chief Wildlife Warden, Karnataka, Bengaluru vide letter dated 05/07/2021 to the Respondent no. 1, has given an approval for transfer and rehabilitation of Elephant 'Janumani' (presently at Sahakari farm) to the Elephant Care in Karnataka, subject to compulsory fulfilment of below conditions;

   1) Elephant 'Janumani' shall possess a valid ownership certificate issued by the Chief Wildlife Warden of Goa.
   2) Prior intimation about the transportation of the Elephant to Karnataka Forest Department.

   Annexed hereto the copy of the letter dated **05/7/2021** as **annexure B.**

9. I submit that the requirement of an original ownership certificate (OC) issued by the Goa Forest Department should be removed. 'Janumani' was illegally brought into Goa from Assam and was seized from the Sahakari spice farm on 18.12.2018, therefore the Goa Forest Department will not be in a position to issue an ownership certificate. Because the Goa Forest Department did not have a facility to relocate Janumani she was left in the custody of Sahakari Spice Farm. This condition in the Karnataka Principal Chief Conservator of Forests order appears to be mistaken and is required to be waived/dispensed with.

NOTARY Chandrashekar Urban & Rural Dist. Karnataka Reg. No. 10958 Expiry Date 24.08.2022 GOVT. OF INDIA

For Wild Life Rescue and Rehabilitation Centre

Hon. Trustee

10 In addition, the Respondent No. 1, in their compliance report filed before this Hon'ble Court disclosed that the Respondent No. 5 has submitted an application seeking NOC for transfer of their two elephants Babu and Chanchal to the Radhe Krishna Temple Trust, Elephant Care Facility in Jamnagar, Gujarat.

11 I respectfully submit that this Hon'ble Court may decide on the future welfare of the three elephants by keeping their best interests in mind. I say that the Respondent no.7 undertakes to look after the feeding, upkeep and maintenance, and veterinary care of all the three elephants at a facility that can be created in Goa without creating an additional burden on the Goa Forest Department or any other department.

12 I say that the Respondent no. 7, based on appropriate directions of this Court is willing to provide for the lifetime upkeep, care vety treatment and maintenance of Elephant Janumani at Elephant care facility in Dist. Kolar, in Karnataka.

13 I do hereby solemnly affirm that the contents of paragraph nos. 1 & 12 hereinabove are true and correct to my personal knowledge.

Solemnly affirmed at Bagaur on this th day of June 2022.

Advocate

For Wild Life Rescue and Rehabilitation Centre
Suparna Baki Gayatri
Hon Trustee

Deponent

Identified by:

Date: 30/6/2022

Place: Bagaur

SWORN TO BEFORE ME
30/6/2022
CHANDRASHEKARAIAH.
Advocate & Notary
No. 87, Kempegowda Nilaya
3rd Cross, Muthurayaswamy Extension
Sukkadahalli, Bangalore - 560091

Dist. Karnataka
Reg. No. 10009
Expiry Date 24.05.2023
GOVT. OF INDIA

Book 3 Page 21
Reg No. 6722 Dated 30/6/2022

Annexure 1t

(160)

WRRC
WILDLIFE RESCUE AND REHABILITATION CENTRE
WILDLIFE RESCUE AND REHABILITATION CENTRE
Recognized by Animal Welfare Board of India. In collaboration with Karnataka Forest Department
Honorary Trustees: Suparna B. Ganguly | Shiela N. Rao | Sandhya Madappa
Brindha Nandakumar | Gopi Shankar
Shalini Santosh | Subrahmanian Santakumar

To,
Mr. Santosh Kumar
Chief WildLife Warden,
Swami Vivekanand Road,
Panaji, Goa 403001

Date: 21st October 2021

Subject: Request Letter for a working MOU between the Goa Forest Dept. & WRRC to assist with daily care and veterinary support of elephants at the proposed Elephant Care Facility (ECF) at Devsado, Hathkhamba Goa Road, Tatodi Part 2, Dharbandora

Dear Mr. Santosh Kumar,

As you are well aware, the expert inspection team from Bangalore, appointed by the High Court to examine all the elephants seized by the forest Dept and stationed at three spice farm resorts had, in its report (January 2021) strongly recommended that it is necessary that three of the captive elephants (two with Tropical and one with Sahakari Farms) all of whom scored the lowest on 'Welfare of the Animal' are moved to a dedicated Elephant Care Facility that allows them to live their lives as close to their natural environment.

We, at Wildlife Rescue and Rehabilitation Centre (WRRC), with two decades of experience in wildlife and elephant rescue, care and rehabilitation, would like to assist the Forest Department to set up an Elephant Care Facility (ECF) in Goa to take care of the three elephants housed in two separate spice farms in Ponda.

WRRC works in close collaboration with the Karnataka Forest Department and has established the Bannerghatta Rehabilitation Centre, which is a model Wildlife Rescue Centre, built on land extended by the State Forest Dept. for the purpose. Between 2006-15, WRRC has researched and published more than 50 reports available at https://wrrcindia.org/captive-elephant-welfare on the welfare status and management of captive elephants across India.

Based on its expertise, and long-standing working relationship with the forest department, WRRC has been handed custody of three captive elephants confiscated from around the city and districts of Bangalore who are housed in an ECF in Malur, run by WRRC.

Presently, WRRC is in collaboration with the Karnataka Forest Dept to manage and maintain an ECF in Karnataka, including upkeep of the elephants and the paperwork, permissions and MOU connected with this project is in progress.

WRRC undertakes to look after the feeding, upkeep and maintenance of all the elephants at the Elephant Care Facility, without letting it to be a burden on the Goa Forest Department or on the institutions surrendering the same. WRRC will undertake to extend health and veterinary care, feeding, staff salaries, additional infrastructural requirements, enrichment devices and psychological and health profiles of all the elephants in care.

You will be aware that ECRs as joint sector undertakings, with partnerships between the Forest Departments and expert agencies are already functioning successfully in Uttar Pradesh and Haryana.

We are grateful for the support extended by the Deputy Conservator of Forests, North Goa and the RFO Collem, for helping us locate a suitable piece of land, approximately 1.5 hectares) in Devsado, Tatodi, Dharbondora which is suitable and close to perennial water source. The exact coordinates of the land are:

Round: Dharbandora
Beat: Tatodi part 2
Place: Devsado
Sy. No. 109
GPS Reading
Point 1. N 15 22 29 87
E 074 07 37 31
2. N 15 22 30 07
E 074 07 40 82
3 N 15 22 25 34
E 074 07 40 88
4. N 15 22 25 19
E 074 07 37 66

Kindly see the total 1.5 Hectares land demarcated in a survey drawing attached with this letter.

We look forward to your positive response and congratulate you, once more, for taking necessary steps for starting a dedicated captive Elephant Care Facility for suffering elephants under private ownership, into a reality.
If indicated by your kind self, we can send the draft MoU for your perusal and comments.

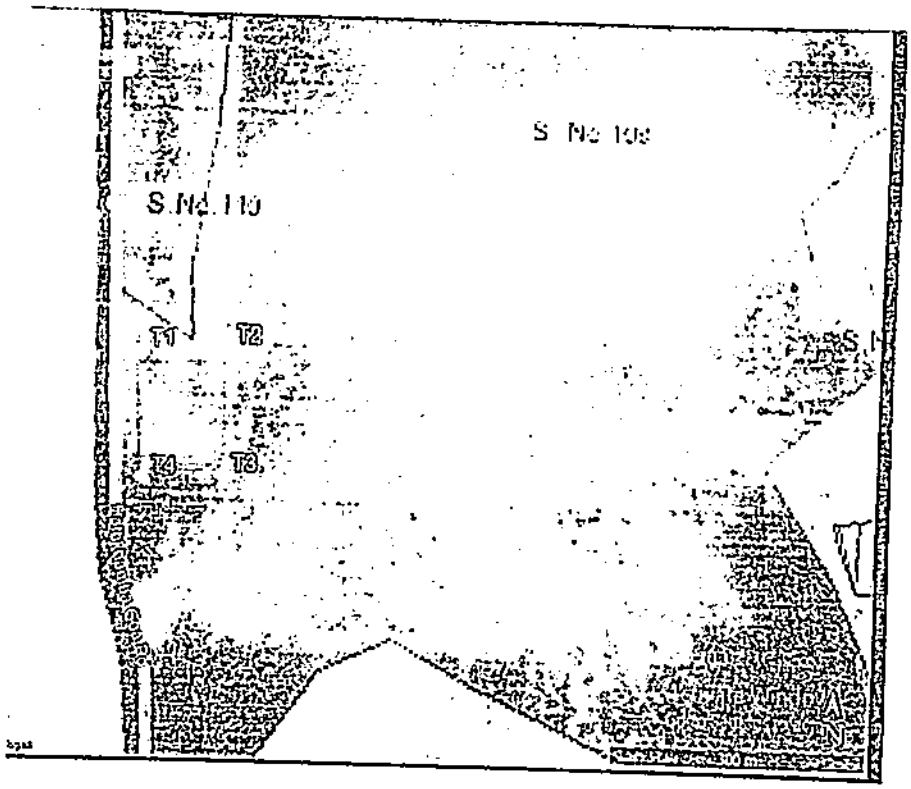
Thanking You,
Yours Sincerely
For WildLife Rescue and Rehabilitation Centre

Hon. Trustee

SBGanguly

WILDLIFE RESCUE AND REHABILITATION CENTRE Bangalore

Supama Baksi Ganguly
President & Co-founder Trustee,
Wildlife Rescue and Rehabilitation Centre - WRRC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Annexure 15.

(164)

Principal Chief Conservator of Forests (Wildlife) & Chief Wildlife Warden, Karnataka, Bengaluru

Office : 080-23345846
: 080-23341993
E-mail:
Aranya Bhavan, 2nd Floor,
18th Cross, Malleswaram,
Bengaluru-560 003

No. PCCF(WL)/E-C1/CR-13/2018-19

Date : -07-2021

To,
Addl. Principal Chief Conservator of Forests
& Chief Wildlife Warden,
VAN Bhavan, Altinho,
Panaji, GOA.

Sir,

Sub: Particulars of Elephant Rescue & Rehabilitation Centre - reg.

Ref: 1) Your office letter No: CWL/4/WL/Elephant/FD/2021-22/12/684 dated: 11-05-2021.
2) E-mail dated: 23.05.2021 of President & Co-Founder Trustee, WRRC.

****

Adverting to the letter cited under reference(1) above it has been requested for rehabilitation of captive female Elephant 'Zonimane' from the State of Goa which is kept in private establishment 'Sahakari Farm' at Divali-Ponda.

The Wildlife Rescue Rehabilitation Center (WRRC)-Elephant Care Facility at Malur, Kolar District vide e-mail cited under reference(2) has expressed is willingness on the rehabilitation of the Elephant 'Zonimane' as it has proper access to Veterinary care and number of other female elephants, nutrition food and trained man power and also committed to take full financial care of the said elephant.

Hence, the rehabilitation of the Elephant 'Zonimane' to the Elephant Care Facility at Malur, Kolar District is hereby approved as per the section-43 of Wildlife (Protection) Act, 1972 subjected to compulsory fulfillment of below conditions.

1. Elephant 'Zonimane' shall possess a valid Ownership Certificate issued by the Chief Wildlife Warden, Goa.
2. Prior intimation about the transportation of the Elephant to Karnataka Forest Department.

Yours faithfully,

5/7/21

Principal Chief Conservator of Forests
(Wildlife) & Chief Wildlife Warden,
Karnataka, Bengaluru

Copy to:

1) The Chief Conservator of Forest, Bengaluru (T) Circle, Bengaluru for information and needful action.

...2

2) The Deputy Conservator of Forest, Kolar Division, Kolar, for information and needful action.
3) President & Co-Founder Trustee, Wildlife Rescue Rehabilitation Center (WRRC) for information and needful action.

IN THE HON'BLE HIGH COURT OF JUDICATURE AT BOMBAY, GOA BENCH, AT PORVORIM

PIL WRIT PETITION NO. 954 OF 2022 [F]

People for Animals – Goa ...Petitioner

v/s

The Principal Chief Conservator of Forests & Chief Wildlife Warden and Ors. ...Respondents

AFFIDAVIT OF SERVICE

I, Norma Alvares, President of the Petitioner organization above named, do solemnly state on oath as under:

1. I am filing this affidavit in terms of the order dt. 26.04.2022 passed in P.I.L. W.P. 954/2022 [F] by the the Hon'ble High Court of Bombay at Goa.

O/C

27.04.2022

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Adv. Anamika Gode
G-8, St. Britto's Apartments,
Feira Alta, Mapusa, Goa – 403507.
Mobile No.- 9674390308
Email: - anamikagode@gmail.com

To,
M/S Jungle Book Resort,
Bazarwado, Collem,
Dharbandora, Goa - 403410.

Sub: Notice of P.I.L. 954/2022(F) in Hon'ble H.C. of Bombay, Goa

Please be informed that a P.I.L. W.P. has been filed in the Hon'ble High Court of Bombay at Goa, bearing no. P.I.L. W.P. 954/2022(F), with causetitle *People for Animals, Goa v/s. P.C.C.F-C.W.W & Ors*, in which you have been named as the Respondent No. 4. A hard copy of this petition is enclosed herewith.

The matter was taken up yesterday, 26.04.2022, and the Hon'ble High Court has issued notice to all the Respondents.

The next date of the matter is fixed as 04th May 2022.

Regards,
Anamika Gode

Received
27/4/2022
8.48am

OC

26.04.2022

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Adv. Anamika Gode
G-8, St. Britto's Apartments,
Feira Alta, Mapusa, Goa – 403507.
Mobile No.- 9674390308
Email: - anamikagode@gmail.com

To,
M/S Tropical Spice Plantation,
H. No. A-14, Arla Bazar, Keri,
Ponda, Kerim, Goa – 403401.

Sub: Notice of P.I.L. 954/2022(F) in Hon'ble H.C. of Bombay, Goa

Please be informed that a P.I.L. W.P. has been filed in the Hon'ble High Court of Bombay at Goa, bearing no. P.I.L. W.P. 954/2022(F), with causetitle ***People for Animals, Goa v/s. P.C.C.F-C.W.W & Ors***, in which you have been named as the Respondent No. 6. A hard copy of this petition is enclosed herewith.

The matter was taken up today, 26.04.2022, and the Hon'ble High Court has issued notice to all the Respondents.

The next date of the matter is fixed as 04th May 2022.

Regards,
Anamika Gode

26/4/22.

N/O

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IN THE HON'BLE HIGH COURT OF JUDICATURE OF BOMBAY AT PORVORIM, GOA

22 Aug 2022

PIL WRIT PETITION NO. 30 OF 2022

People for Animals – Goa ...Petitioner

v/s

The Principal Chief Conservator of Forests & Chief Wildlife Warden and Ors. ...Respondents

ADDITIONAL AFFIDAVIT OF THE PETITIONER

I, Norma Alvares, President of the Petitioner organization above named, do solemnly state on oath as under:

1. I am filing this affidavit to bring on record the subsequent events in relation to the transfer of the elephant 'Janimani' to the Elephant Care Facility of the Karnataka State Forest Department (ECF), operated in collaboration with the Wild Life Rescue and Rehabilitation Center (WRRC), Karnataka.

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2. Pursuant to the order passed by this Hon'ble Court dt. 18.07.2022, the Ld. J.M.F.C., Ponda allowed the application for the transfer of the Janimani to the ECF. The order of the JMFC dt. 25.07.2022 is enclosed as **Annexure A.**

3. Following the necessary arrangements being made for the smooth transfer of Janimani, her custody was handed over by the Range Forest Officer, Ponda, to the WRRC Representative on 07.08.2022. The Certificate of Handing over/Taking over dt. 07.08.2022 is enclosed as **Annexure B.**

4. After a nearly 18 hour journey by truck, on 9th August 2022, Janimani safely reached the ECF. The joint coordination of the Goa Forest Department and the WRRC ensured a comfortable and safe transfer for Janimani.

5. The petitioner is informed by the WRRC that Janimani is settling down well, and is currently in quarantine. Her veterinary and medical tests have been done, and she will soon be introduced to the other elephants after her quarantine period is over. Photographs of Janimani at the WRRC Centre are enclosed at **Annexure C Colly.**

6. I state that the contents of paragraphs 1 - 5 of this affidavit are true as per my own knowledge, and as

per information obtained from official documents / records which I believe to be true and correct. I state that the annexures enclosed are true copies of the originals.

Solemnly affirmed at Porvorim,
this the 22nd day of August 2022

Deponent

ANNEXURE A

North Goa Courts

GANG08-000857-2020

IN THE COURT OF JUDICIAL MAGISTRATE FIRST CLASS, AT PONDA, GOA.

(Before Ms. Manashree M. Naik, J.M.F.C., 'C' Court, at Ponda)

Criminal Case No.67/AOA/WLP/2020/C

State
Represented by
Range Forest Officer,
Ponda Goa. ... Complainant

Versus

1. Shri Bhagwan Gangaram Shinde,
   R/o Near Sahakari Spice Farm at
   Curti, Ponda Goa.

2. Shri Balaknath Ganganath Maharaj,
   R/o at Post Ravalgao,
   Taluka Malegao,
   Dist. Maharashtra. ... Accused

APPEARANCES

Ms. V. Redkar, Assistant Public Prosecutor, for the State.

Ms. V. Gaonkar, Advocate, for the Accused no. 1 and 2.

ORDER

(Delivered on 25th July, 2022)

This order shall dispose of the application filed by the Assistant Public Prosecutor for transfer of elephant (Janimani) to WRRC (Wild Life Rescue and Rehabilitation Centre) at Karnataka as per directions of High Court in PIL Writ Petition No. 30/2022 at exhibit D-13.

2. The Prosecution submitted that a PIL Writ petition No. 30/2022 was filed by the People for Animals of Goa and the same is pending before the High Court. It is further submitted that the High Court on 18.07.2022, has directed that, the elephant that is the subject matter of the present case (Janimani) is required to be transferred to WRRC (Wild Life Rescue and Rehabilitation Centre) at Karnataka.

3. Hence, prayed that permission be granted to transfer the elephant (Janimani) to WRRC (Wild Life Rescue and Rehabilitation Centre) at Karnataka in accordance with order of High court.

4. Adv. for the Accused endorsed her say on the said application.

North Goa Courts

5. Perused the records and heard Ld. A.P.P. Ms. V. Redkar for the State and Ld. Adv. Ms. V. Gaonkar for the Accused.

6. By perusing the High Court order, it is learnt that the subject matter of the present case, the elephant(Janimani), presently is housed at Sahakari Spice Farm and the Lordship after going through the matter, had come to conclusion that elephant (Janimani) was used for commercial purpose. Therefore, the elephant was required to be transferred to WRRC (Wild Life Rescue and Rehabilitation Centre) at Karnataka, so that it is properly treated and cared.

7. Chief Wild Life Warden being the authorized Officer to follow the following conditions:

Permission to transfer elephant (Janimani).

a) Mode of transport: by road
b) Route: as per the convenience.
c) Period allowed for transport: to be decided accordingly by the Chief Wildlife Warden.
d) Remark : the transportation is to be carried out as per the conditions mentioned below.

Conditions

1) Before beginning of the transportation/transfer of the elephant (Janimani), he should be diagnosed by a

Goa Courts

certified veterinary doctor and health/ medical certificate should be submitted to the Court.

2) Necessary videography and photographs of the elephant (Janimani) should be taken before and after the transfer of the elephant to WRRC and accordingly report should be sent to the Court.

3) Transportation of elephant (Janimani) should be done in good large vehicle so that no harm could be caused to the elephant or other people and the route for transport which is convenient should be taken and time for transport should be decided accordingly, by Chief Wildlife Warden.

4) Roadside trees, and branches should not be cut while transporting the elephant (Janimani).

5) No damages should be caused to the public or property.

6) Mahout to accompany the elephant (Janimani) during transportation/transfer to WRRC.

7) During the period of transportation/transfer to WRRC, necessary fodder, drinking water and medicines for the elephant (Janimani) should be packed and taken.

North Goa Courts

8) WRRC to process the admission and transportation formalities and accordingly take the custody of elephant (Janimani) for its treatment and its rehabilitation.

Pronounced in open Court.

(Manashree M. Naik)
Judicial Magistrate First Class,
'C' Court, Ponda, Goa.

Nv/-

North Goa Courts

Note: case regarding ownership will be decided on merits and cost of transportation can accordingly be recovered later.

ANNEXURE B

"Swatch Bharat / Nital Goem"
Towards Greener and Cleaner Goa
GOVERNMENT OF GOA
OFFICE OF THE RANGE FOREST OFFICER
PONDA RANGE
Phone No. 0832-2317822

No.RFO/PON/01-General/2022-23/702 Dated: 07/08/2022.

Certificate of Handing over & Taking over

Received the elephant (Janimani / Zonimoni) at Ponda – Goa on 07/08/2022 as per the Order of the Honourable Court in PIL WP No. 30/2022 at Hon'ble High Court of Bombay at Goa, Panaji and as permitted by Hon'ble Judicial Magistrate First Class, Ponda, Goa in Criminal Case No. 67/AOA/WLP/2022/C for further transportation and housing of the said animal at Wildlife Rescue and Rehabilitation Centre at Kolar, Karnataka.

Further upkeep of the elephant Janimani / Zonimoni at the facility of WRRC will be subject to Hon'ble Courts directions as and when issued / applicable in above mentioned matters; and Goa Forest Department / WRRC / Karnataka Forest Department are duty-bound to follow such directions.

Handed over by:

Range Forest Officer

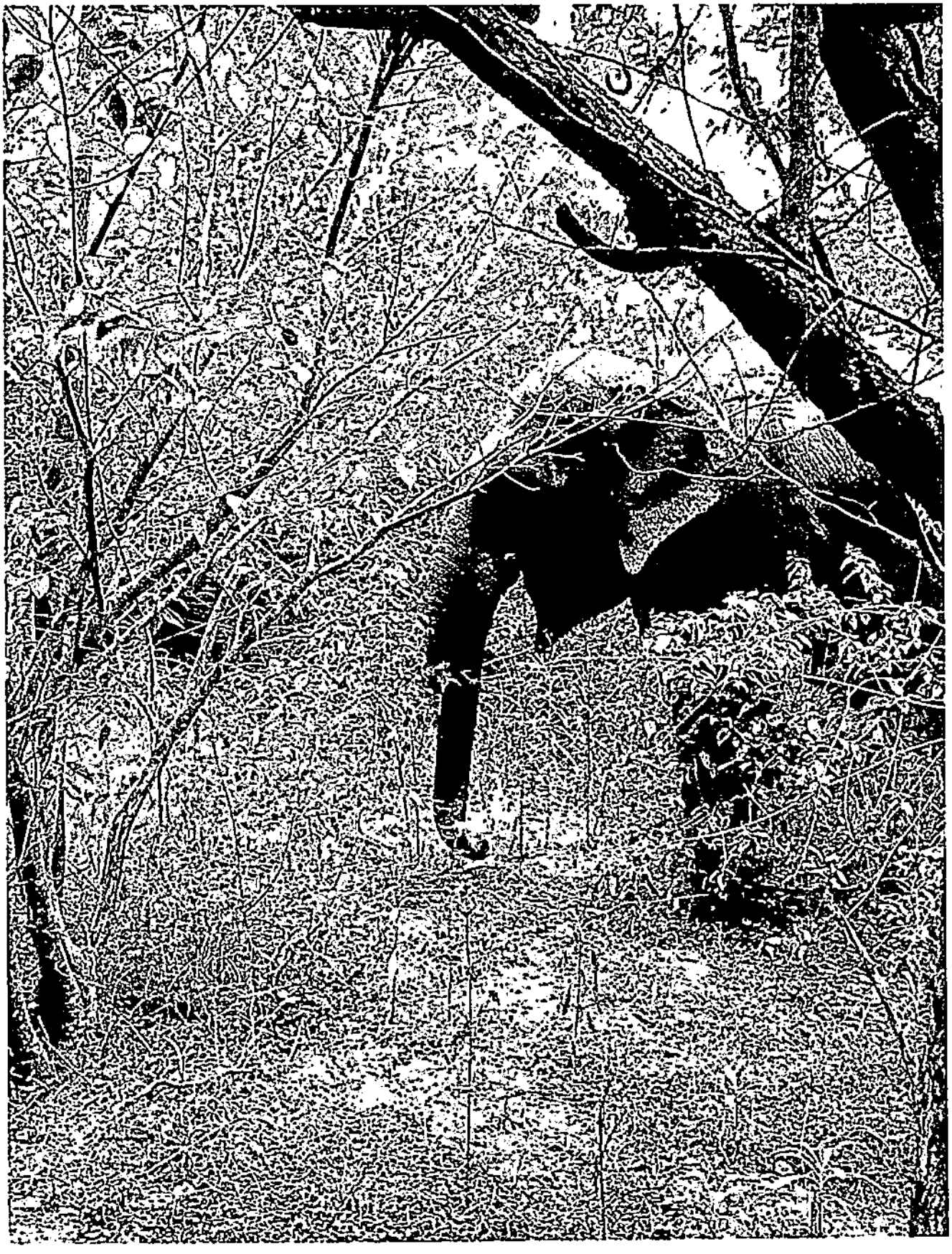
Ponda – Goa

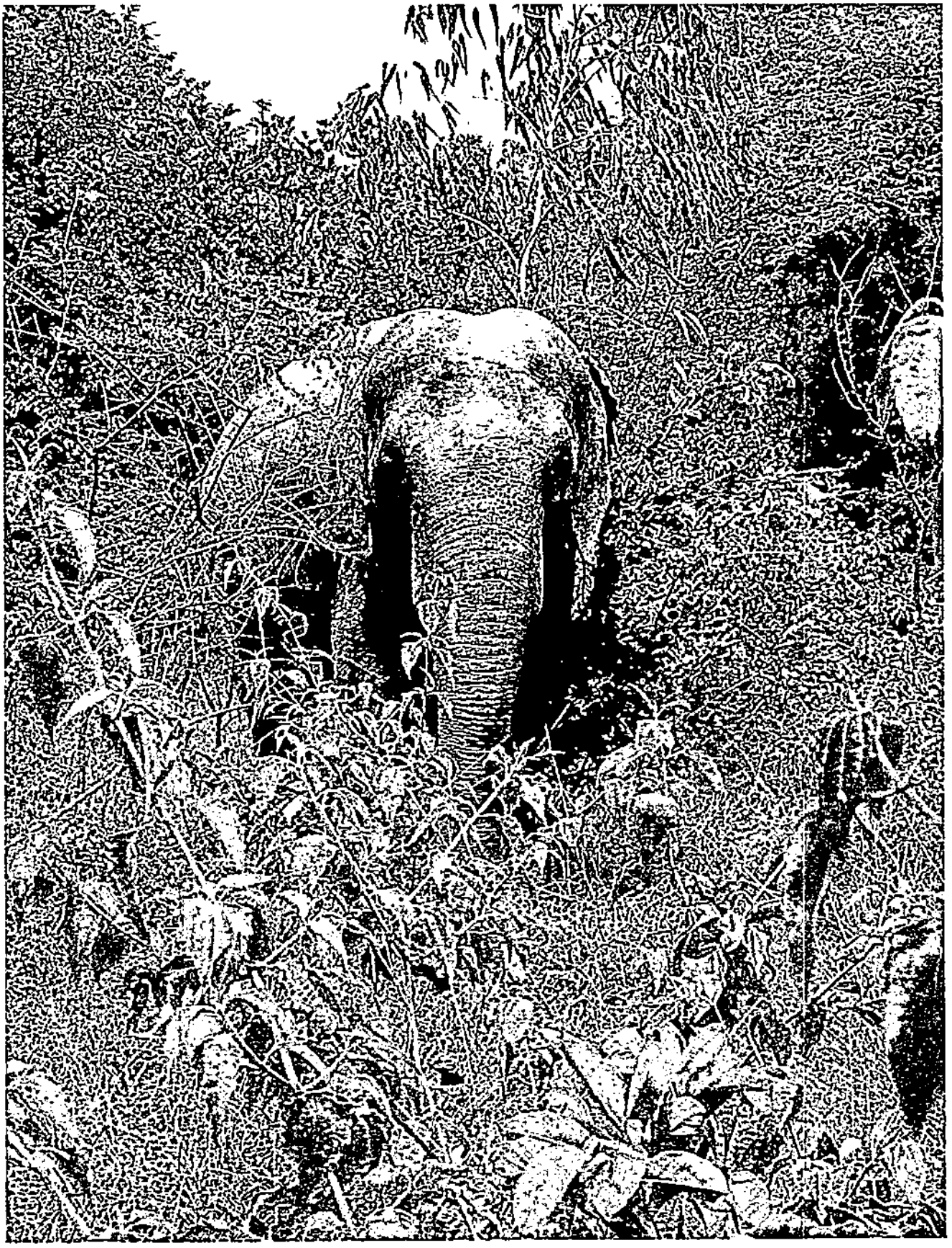
Taken over by:

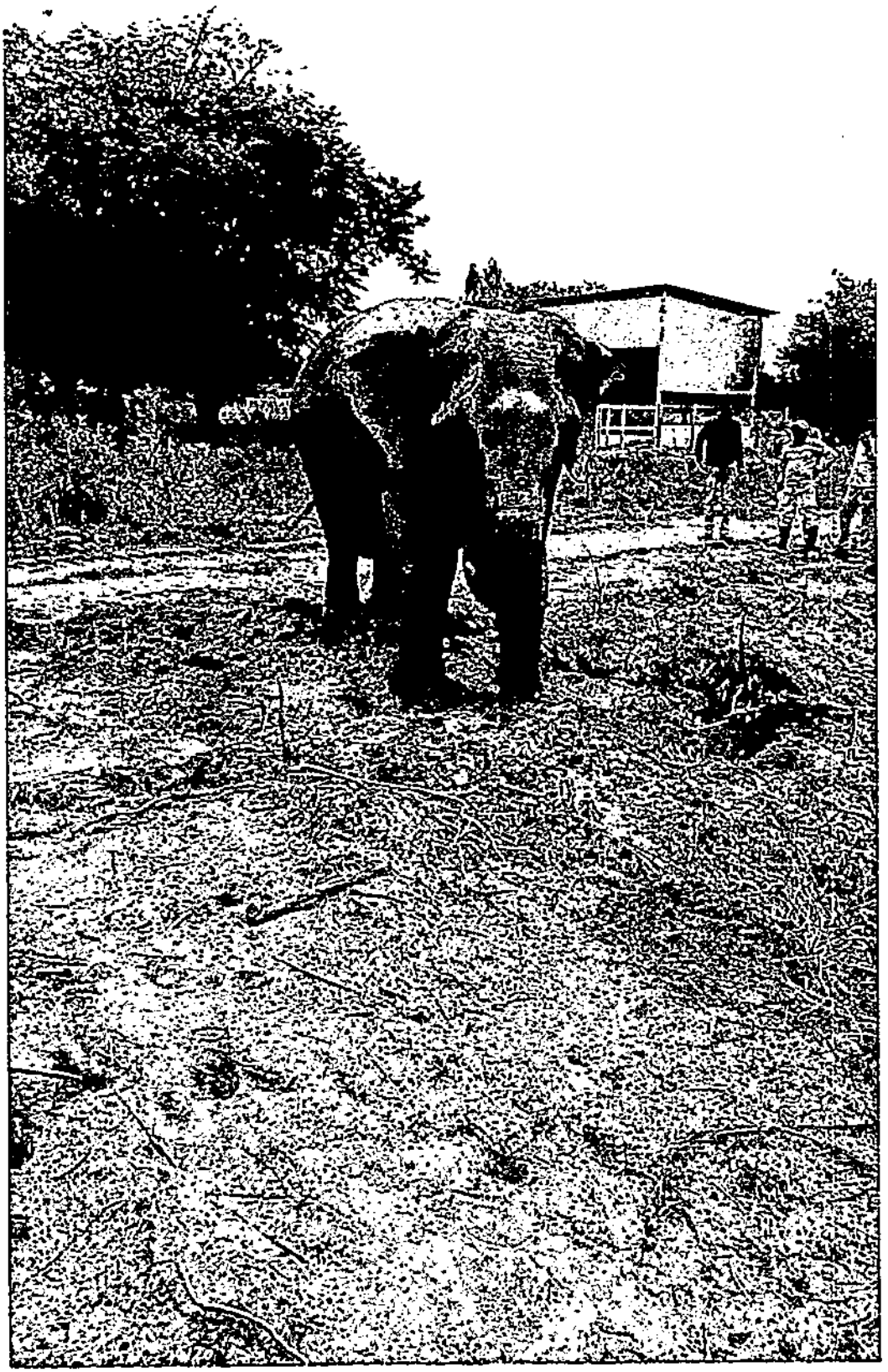
Representative,

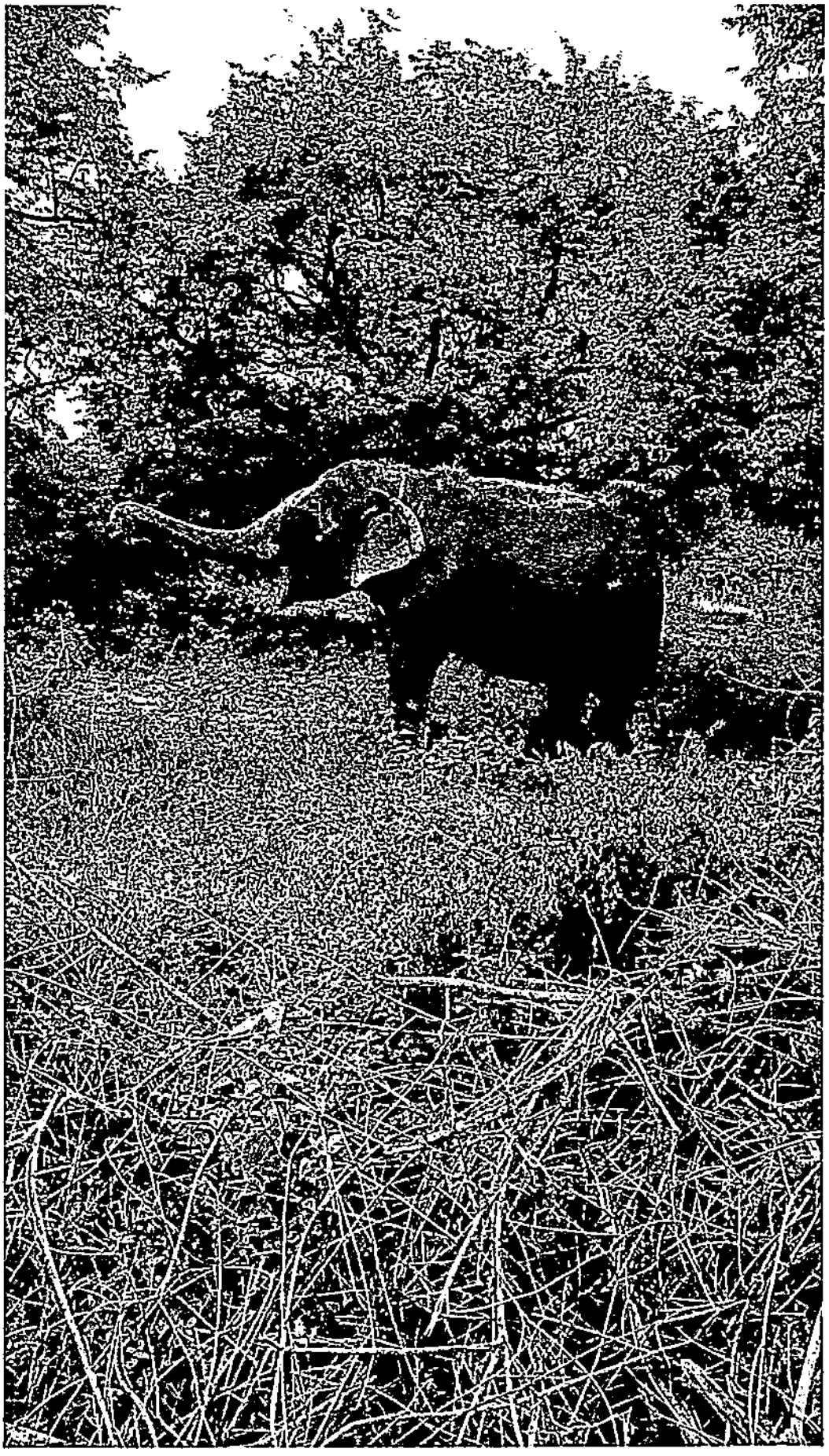
WRRC/Karnataka Forest Department

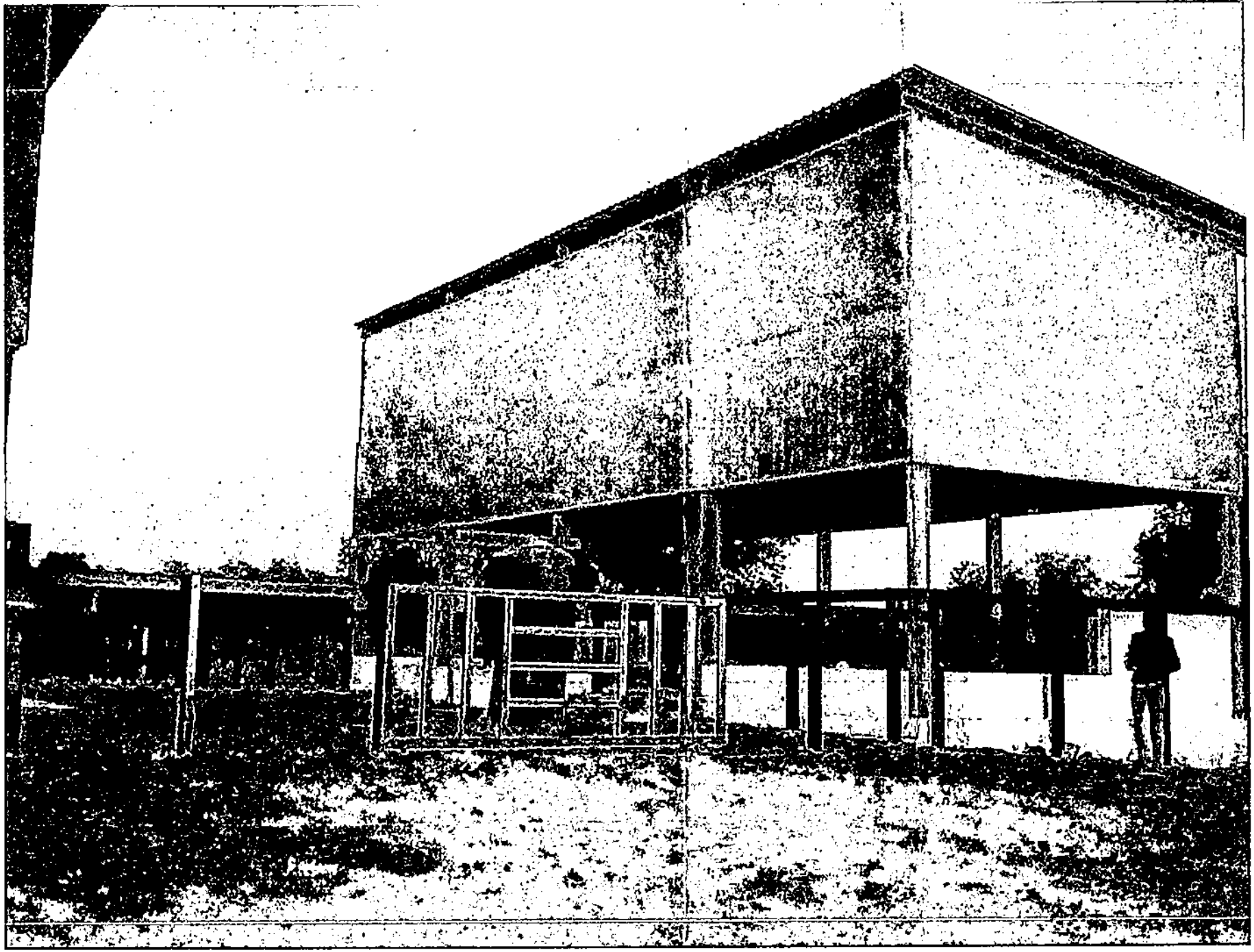
Photographs of Janimani at the WRRC Centre, Karnataka

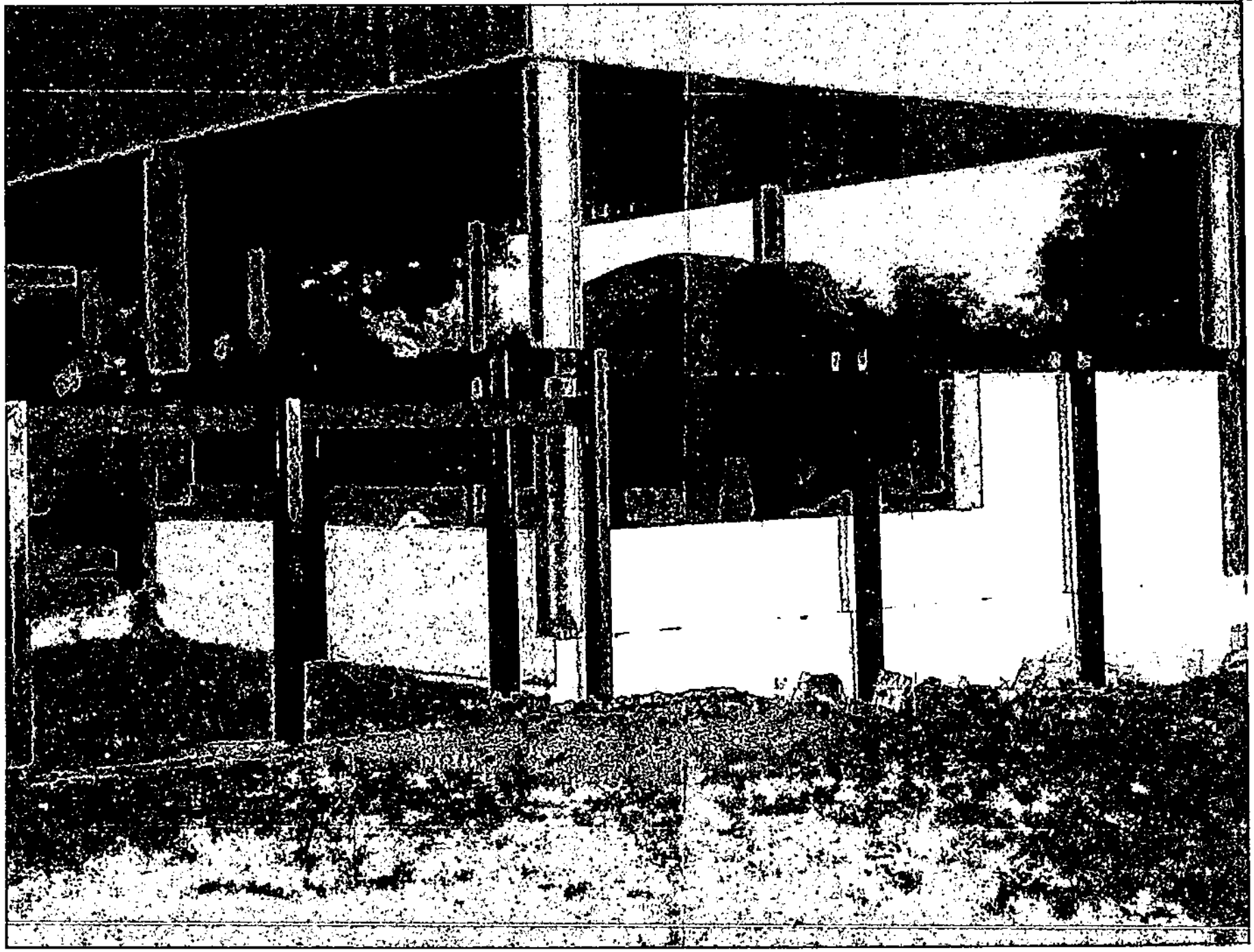


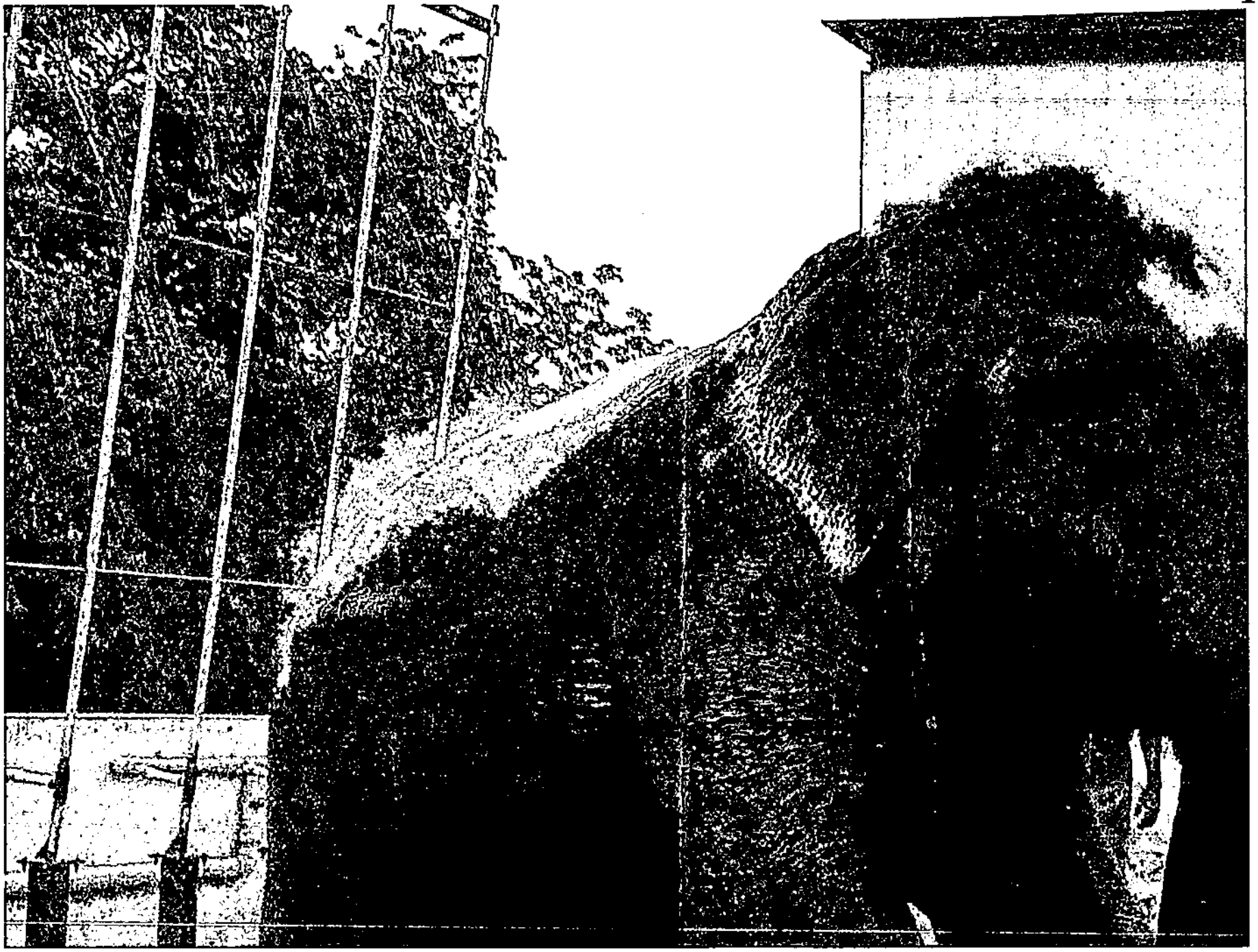












" R4 says no reliefs against me "
-10/10/22

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7/10/2022

IN THE HIGH COURT OF BOMBAY AT GOA

PIL Writ Petition No. 30/2022

People for Animals Goa ...Petitioner

Versus

The Principal Chief Conservator of Forests

and Chief Wildlife Warden & 6 Ors. ...Respondents

COMPLIANCE REPORT

1. The present compliance report is being filed in pursuance of the order dated 23/08/2022 passed by this Hon'ble Court. On 23/08/2022 this Hon'ble Court was appraised of the process initiated by the Forest Department, Government of Goa for the transfer to the Radhe Krishna Temple, Elephant Welfare Trust at Jamnagar, Gujarat the two elephants namely, Babu and Manik who were housed with the Respondent No. 6.

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2. Upon receipt of the permission from the Forest Department of the Government of Gujarat, and securing permission from the Judicial Magistrate First Class at Ponda, the said 2 elephants have been successful and safely transferred to the Radha Krishna Temple, Elephant Welfare Trust at Jamnagar, Gujarat. Annexed hereto and marked as **Exhibit A** is a copy of the certificate of handing over and taking over.

3. It is submitted that presently in the State of Goa, 6 elephants remain, which are presently housed with the Respondent No. 4. It is submitted that Forest Department had booked separate offence cases for violation of Wildlife (Protection) Act, 1972 and illegal captivity of elephants against the Respondent No. 4 on 18/12/2018 and had seized 5 elephants from M/s Jungle Book Resort, Collem. I state that custody of these elephants, on execution of surety bond for safe custody, was given to the present occupant, under Section 50 (3-A) of Wildlife (Protection) Act, 1972 since the captive elephants being a mega herbivore requires adequate housing and feeding facility. It also requires specialized caretakers called as Mahouts, the

facility which is not available with Goa Forest Department. The sixth elephant is a calf of the illegal elephants which was born in captivity and illegal in terms of ownership. The Respondent No. 4 had no objection in accepting the custody of the seized elephants at that time.

4. The Respondent No. 4 time and again has expressed that he faces severe financial constraints in order to maintain the said 6 elephants and has requested the State of Goa to reimburse the expenses incurred by the Respondent No. 4 in maintaining the said elephants and has further prayed that the State of Goa thereafter finance the Respondent No. 4 in order to help the Respondent No. 4 continue to maintain the elephants in his physical possession. It is submitted that the respondent No. 4 has illegally transported and kept the elephants under captivity in his facility and therefore has no right to claim any financial assistance or compensation from Forest Department as illegal captivity and commercial use of elephants is a violation of Wildlife Protection Act, 1972. Annexed hereto and marked as

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Exhibit B colly are copies of the emails received from the Respondent No.4.

5. Radhe Krishna Temple Elephant Welfare Trust at Jamnagar, Gujarat vide their letter dated 18/08/2022, expressed that it is willing to accept any further number of elephants from the state of Goa and to transport the same under their team of experts. The Radha Krishna Temple, Elephant Welfare Trust has offered to thereafter maintain the elephants for their lifetime at the said facility which is otherwise fully equipped to cater to elephants. Annexed hereto and marked as **Exhibit C** is a copy of the communication dated 18/08/2022. As such the remaining 6 elephants may be allowed to be transported to the facility in Jamnagar, Gujarat.

Date: 07/10/2022

Porvorim

Deputy Conservator of Forest (North)

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Exhibit A

"Swatch Bharat / Nital Goem"
Towards Greener and Cleaner Goa

GOVERNMENT OF GOA
OFFICE OF THE RANGE FOREST OFFICER
PONDA RANGE
Phone No. 0832-2317022

No. RFO PON/Gen/Estt/02/23/901 Dated 12/09/2022

Certificate of Handing over & Taking over

Received the Elephants (Manki @ Chanchal and Babu) at Arla, Quepem Forest on 12.09.2022 as per the Order of the Honourable High Court in PIL WP No. 30/2021 at Hon'ble High Court of Bombay at Goa, Panaji and as permitted by Hon'ble Judicial Magistrate First Class, Ponda, Goa in Criminal Case No. AOA/66/2020/Arvd. Order No. JMFC/PON/CR/A/2022/330 Dated 29/08/2022 for further transportation and housing of the said animals at Radhe Krishna Temple Elephant Welfare Trust, Jamnagar Gujarat.

Further upkeep of the Elephant Manki @ Chanchal and Babu at the facility of Radhe krishna Temple Elephant Welfare Trust, Jamnagar, Gujarat will be subject to Hon'ble Courts directions as and when issued applicable in above mentioned matters and Goa Forest Department / Radhe Krishna Temple Elephant Welfare Trust, Jamnagar Gujarat Forest Department are duty bound to follow such directions.

Handed over by

Range Forest Officer
Ponda - Goa

RANGE FOREST OFFICER
Ponda - Goa

Taken over by

Representative,
Radhe Krishna Temple Elephant Welfare
Trust, Jamnagar, Gujarat

Exhibit B

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---------- Forwarded message ---------
From: **Joseph Barreto** <goaecotourism.joseph@gmail.com>
Date: Mon, Apr 13, 2020 at 11:28 AM
Subject: Sub: Appeal for Financial Assistance to maintain 6 Elephants & hinterland Tourism business.
To: <cm.goa@nic.in>, <cs.goa@nic.in>, <pccf.goa@gmail.com>
Cc: <apccf.goa@gmail.com>, <pccf-fore.goa@gov.in>, Mitesh Goaecotourism <mitesh@goaecotourism.com>, <rodrigues.vivek@gmail.com>

Respected Sir,

My passion for Nature and the love of Animals drifted into pioneering unique Ecotourism Enterprises in the hinterland of Goa since 1987.

As my request to the Govt. to bring more Elephants at Bondla Zoo was not fulfilled in the year 1998, I brought my first Elephant in 1999. After 20 years of dedicated hard work and effective management I am proud to announce that I have the expertise and look after six Elephants one of which was born on 16-8-2019. They are scientifically farmed in my property namely JUNGLE BOOK, Bazarwado, Collem, Dharbandora, Goa.

The human population of India is beyond the Caring capacity and about 70% are poor which forces some into Criminality. If Domestic Elephants are released in the wild without being monitored, they become easy prey to Ivory poachers and a poor criminal becomes rich. Considering the density of Population & poverty in India, it's better than Elephants are bred in captivity than in the Wild but strictly under the Guidelines of Animal Rights.

To create a safe natural environment for my Elephants, I purchased a huge 55 acres property surveyed under number 202/1 located at Village Morod-Dharbandora to give them their fundamental rights & release my Elephants Chain free. I request the Government to help & finance me set up a Private Chain Free Elephant Village and keep Elephants in your custody in my possession and care.

I agree with the decision of The Honourable Prime Minister to lock down India till 14-4-2020. I now reed/watch news that the Government is planning to continue the Lockout.

How does the Govt. expect me to generate money to pay the employees & maintain my Elephants as business is suffering unbearable losses? You must be aware of the popular Phrase "If you want to make someone poor gift him an Elephant".

In December 2018 the Forest Department seized my Elephants and kept them in my possession as I have the infrastructure and expertise

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to lover and Care my Elephants as a part of my family.

For the past many years, I maintained my Elephants from the money I earned through my Ecotourism Activities, Excursions, Hotel, Food & Beverage sales & other sources of income.

The total money I spent on scientific maintenance of my Elephants from December 2018 the date the Forest Dept. seized my elephants till March 2020 was only Rs. 92,17,497.00 (Ninety-two lacks seventeen thousand four hundred and ninety-seven only). I can prove the expenditure as I maintain all records. I do not use my Elephants for Commercial purposes hence there is no income.

I request the Principal Chief Conservator of Forest, Forest Department Govt of Goa to reimburse me the sum of only Rs. 92,17,497.00 that I spent on the maintenance of my Elephants for the past 16 months and deposit my money in HDFC bank, Panaji, account number 00591000021104 IFSC code HDFC000059 on an urgent basis and continue paying for the day to day maintenance every month.

As the lockout dated 22-03-2020 was extended by the Honourable Chief Minister of Goa and then extended by the Honourable Prime Minister of India, on 25-03-2020 I sent an email to you and other departments asking for the travel Permit. I thank the Honourable Chief Minister of Goa for ordering the Collector South by email dated 27-3-2020 to issue me the transport permit to fetch fodder for my Elephants. As the responsibility was passed by the Collector South to the Director to the Dy. Collector Dharbandora and to the Animal Husbandry who in turn passed the buck to the Chief Conservator of Forests, I could not go to bring fresh Green fodder to feed my Elephants which I do daily as I need a truckload of fresh Green Fodder a day. I did not deprive food for my Elephants, I destroyed the vegetation from my 12 acres plantation in Collem and feed it to my Elephants. As I need desperate Govt. help I was compelled to post a video on my Facebook account https:www.facebook.com/1030791876/post/10218739122922447/?d=n and other Digital Social media asking help to get the permit. This post went viral and was displayed by the news media on these links, https://youtu.be/vm3XM4rQ0rI and https://www.facebook.com/483908701626912/posts/3998451203505960/ 10 days after the lockout started on 02-04-2020 Mr. Kuldeep Sharma, IFS, Deputy Conservator of Forests, North Goa Division, Ponda- Goa came for a surprise visit to check the wellbeing of the Elephants and thereafter issued me the TRAVEL PERMIT. On 03-04-2020 The Times of India published the news with the caption "No food, elephants pay price for lockdown" on this link, https://m.timesofindia.com/city/goa/no-food-elephants-pay-price-for-lockdown/amp_articleshow/74957685.cms.

Many People Worldwide learned about the problem I was facing with my Elephants on account of the lockdown and some offer help to raising funds to maintain them. As my income through all sources has

245 266/c

stopped on account of the lockdown, I humbly request the Honourable Chief Minister of Goa and the Principal Chief Conservator of Forest, Govt. of Goa to urgently permit me, No Objection & help me to set up a Trust so that I can appeal to the World to raise money to support my Elephant. As most Govt. offices are closed & registration of the Trust will take time please permit me to start the trust without registration and permit foreign remittance transferred to my account.

I humbly request the Principal Chief Conservator of Forest, to give me a free grazing permit so that I can release my Elephants in the adjacent Bhagwan Mahavir Wildlife Sanctuary & National park in Collem to graze Naturally under my supervision as if they are set free and not monitored they will return to Civilization to graze on easy pastures, plantation of Villagers as they are used to being stall-feed from birth and lived amongst humans.

The Government directly & indirectly is about 50% partner of all Tax paying Businessmen in India. As I paid various tax for the past many years & as the Govt. is our indirect partner, I humbly request my partner that is you the Government of Goa & India to repay me the money for the losses that I am incurring on account of this Crisis.

I also request the Government to pay our staff their salaries as they are registered with the ESI who have to pay them when they are sick. As COVID-19 is related to avoid sickness I humbly request the ESI / Govt. to pay them.

Employees have to understand and accept the fact that the financial burden caused due to COVID-19 is not to be born just by the employer but the employee also has to suffer the loss.

Most Governments around the world replayed businessmen in Crises caused by COVID-19.

For years The Govt. is encouraging hinterland tourism but to date no help has been rendered to me, hence I humbly request the Govt. to financially help me in times of Crisis.

I request the concerned departments of The Government of Goa & Government of India to urgently help me with the below points:-

1- To help & finance me set up a Private Chain Free Elephant Village and keep Elephants in your custody in my possession and care.

2- To reimburse the sum of only Rs. 92,17,497.00 and deposit my money in HDFC bank, Panaji, account number 00591000021104 IFSC code HDFC000059 on an urgent basis and continue paying for the day to day maintenance every month.

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3- To urgently permit me, No Objection & help me to set up a Trust to raise money to support my Elephant.

4- To give me a free grazing permit in the adjacent Bhagwan Mahavir Wildlife Sanctuary & National park.

5- To financially help my hinterland Tourism project in Times of Crisis.

6- To instruct the ESI to pay the staff who refused to work.

7- Any other help the Govt. is willing to render.

Thanking you in advance.

Yours truly,

Joseph Barreto

9822121421

247
26/5/

Subject: Fwd: Sub: Appeal for Financial Assistance to maintain 6 Elephants & hinterland Tourism business.

---------- Forwarded message ---------
From: **Joseph Barreto** <goaecotourism.joseph@gmail.com>
Date: Fri, 15 May 2020 at 8:52 PM
Subject: Fwd: Sub: Appeal for Financial Assistance to maintain 6 Elephants & hinterland Tourism business.
To: Neils Simons & Tineke Son Holland Andrea <niels_vandenberg@yahoo.com>

Sent from my iPhone

Begin forwarded message:

> **From:** Joseph Barreto <goaecotourism.joseph@gmail.com>
> **Date:** 13 May 2020 at 12:58:35 PM IST
> **To:** cm.goa@nic.in, cs-goa@nic.in, pccf.goa@gmail.com
> **Cc:** Mitesh Goaecotourism <mitesh@goaecotourism.com>, rodrigues.vivek@gmail.com, apccf.goa@gmail.com, sanjaygaijwal.and@nic.in
> **Subject: Fwd: Sub: Appeal for Financial Assistance to maintain 6 Elephants & hinterland Tourism business.**

Respected Sir,

Please refer to my email dated 13th April 2020. I had informed your honor that the Forest Department Govt. of Goa had seized my Elephants in December 2018 and kept them in my possession.

I had requested the Principal Chief Conservator of Forest, Govt. of Goa, to urgently pay for the expenses that I incurred from December 2018 till March 2020 which amounted to Rs. 92,17,497.00 and continue paying for the day to day expenses on a monthly basis.

I am to inform you that no money has been deposited by the Govt. in my account till date.

The maintenance of my Elephants for the month of April 2020, amounted to Rs. 6,22,346.00.

Thus, the total expense from December 2018 to April 2020 is Rs. 98,39,843.00 (Ninety-eight lacks thirty-nine thousand eight hundred and forty-three only.

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I once again humbly request the Honourable Chief Minister to instruct The Principal Conservator of Forest & the concerned departments of The Government of Goa to urgently help me with the below points: -

1- To help & finance me set up a Private Chain Free Elephant Village and keep Elephants in your custody in my possession and care.

2- To reimburse me for the sum of only Rs. 98,39,843.00 and deposit my money in HDFC bank, Panaji, account number 00591000021104 IFSC code HDFC000059 on an urgent basis and continue paying for the day to day maintenance on a monthly basis.

3- To urgently give me the No Objection and issue me the license & help me to set up a Trust to raise money to support my Elephant.

4- To give me a free grazing permit in the adjacent "Bhagwan Mahavir Wildlife Sanctuary & National park".

5- To financially help my hinterland Tourism project in Times of Crisis.

6- To instruct the ESI to pay the staff who refused to work.

7- Any other help the Govt. is willing to render.

Kindly treat this email as a continuation of the email dated 13th April 2020.

Thanking you in advance.

Yours truly,

Joseph Barreto

9822121421

85
24/06/2020

O/o Chief Secretary
Entry No.: 14131090S
Date: 18/6/2020

532 PAS
24/06/2020

249

Email **cs-goa@nic.in**

269

FW: Sub: Appeal for Financial Assistance to maintain 6 Elephants & hinterland Tourism business.

From : goaecotourism joseph <goaecotourism.joseph@gmail.com>

Wed, Jun 17, 2020 05:20 PM

Subject : FW: Sub: Appeal for Financial Assistance to maintain 6 Elephants & hinterland Tourism business.

To : cm.goa <cm.goa@nic.in>, Chief Secretary <cs-goa@nic.in>, pccf goa <pccf.goa@gmail.com>

Cc : apccf goa <apccf.goa@gmail.com>, Sanjay Kumar <sanjaygaijwal.and@nic.in>, rodrigues vivek <rodrigues.vivek@gmail.com>, mitesh@goaecotourism.com

Pr Secy (Forest)
Pl. Cxx
18-6-2020

Office of Pr. Secretary (Forest)
Inward No.: 9224
Date: 18/6/20

2818 2/2020
23/06/2020

285
23/6/2020

538
23/6/20

Respected Sir,

Please refer to my email dated 13th April 2020 and 13th May 2020. I had informed your honour that the Forest Department Govt. of Goa had seized my Elephants in December 2018 and kept them in my possession.

PCCF
Pl file accordingly

I had requested the Principal Chief Conservator of Forest, Govt. of Goa, to urgently pay for the expenses that I incurred from December 2018 till April 2020 which amounted to Rs. 98,39,843.00 (Ninety-eight lacks thirty-nine thousand eight hundred and forty-three only and continue paying for the day to day expenses on a monthly basis.

I am to inform you that no money has been deposited by the Govt. in my account till date.

23/6/20
23/6
Pl

The maintenance of my Elephants for the month of May 2020, amounted to Rs. 5,75,653.00.

Thus, the total expense from December 2018 to May 2020 is Rs. 1,04,15,496.00 (One crore four lacks fifteen thousand four hundred and ninety six only.)

I once again humbly request the Honourable Chief Minister to instruct The Principal Conservator of Forest & the concerned departments of The Government of Goa to urgently help me

Pl

250

with the below points: -

1- To help & finance me set up a Private Chain Free Elephant Village and keep Elephants in your custody in my possession and care.

2- To reimburse me for the sum of only 1,04,15,496.00 (One crore four lacks fifteen thousand four hundred and ninety six only.)and deposit my money in HDFC bank, Panaji, account number 00591000021104 IFSC code HDFC000059 on an urgent basis and continue paying for the day to day maintenance on a monthly basis.

3- To urgently give me the No Objection and issue me the license & help me to set up a Trust to raise money to support my Elephant.

4- To give me a free grazing permit in the adjacent "Bhagwan Mahavir Wildlife Sanctuary & National park".

5- To financially help my hinterland Tourism project in Times of Crisis.

6- To instruct the ESI to pay the staff who refused to work.

7- Any other help the Govt. is willing to render.

Kindly treat this email as a continuation to the previous two emails.

Thanking you in advance.

Yours truly,

Joseph Barreto

9822121421

Sent from Mail for Windows 10

From: Joseph Barreto
Sent: 18 May 2020 16:56
To: Mitesh Goaecotourism; taxramanicagoa@gmail.com

1346
19/9/22

2399
16/09/2022

102/C

Office of the P.C.C.F
Inward No. 7866
Book No. 5122
Date 16/09/2022

7866

1214
20/09/22

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From:-
Mr, Joseph Barreto,
House No. 28,
Rua de Ourem,
Panjim, Goa. 403 001.

Date:- 16-09-2022

To,
The Principal Chief Conservator of Forest,
Government of Goa,
Van Bhawan, Altinho, Panjim, Goa. India.

Sub: - Proposal for setting up of Elephant Care Facility in Goa.

Respected Sir,

I am in Possession of 6 Elephants.

On various occasions I wrote to your office about the upkeep and maintenance that is required especially after the seizer but I retained the elephants under my care without financial assistance. . The last communication was vide email dated 1st August 2022.

I have to inform you that the matter regarding the possession and ownership of elephants is been dealt by the Honourable Supreme Court which is pending in Delhi and is sub judicious.

I have to inform you that in the Honourable High Court of Goa the only reason the writ petition No PILWP/7/2020 was filled was to have an inspection by Scientist Surendra Varma and his team to look into the welfare of elephants in Goa which was in fact consented by me.

I have to inform you that the inspection was conducted on 16th February 2021 where by a favourable report was given to my property and the care facilities of the Elephants with minor suggestion which we have already implemented.

I have to inform you that thereafter another writ petition came to be filed by People For Animals bearing no PILWP/30/2022. Which came to be heard on various occasions in the High Court and your department was represented by Advocate General.

It is pertinent to note that in the said writ petition the petitioner has specifically pointed out that there are no reliefs sort against the elephants in my property as the same has been well looked after and has excellent facilities and care.

2098
19/9/22

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Government of Goa
Office of Principal Chief Conservator of Forests
Forest Department
Goa Van Bhawan, Old IPHB Complex;
Altinho, Panaji Goa – 403 001

No.2-4-WL-Elephant-FD-Vol.X/ 2774 Dated: - 22/09/2022

Copy to:-

The Dy. Conservator of Forests, North Goa Division, Ponda – Goa, with a request to submit comments to this office at the earliest please.

Santosh H. Radte
Dy. Conservator of Forests
Planning & Statistics

Ph.No. 0832-2492527 Email: dcfps-forest.goa@nic.in

"Swach Bharat Nital Goem"
Towards Greener and Cleaner Goa

D/C

I have to inform you that the elephants from the other facilities in Goa are to be relocated to WRRC Elephant Care Facility, Near the Metropolitan City of Bangalore in Karnataka and to the Radha Krishna Temple Trust at The Green Zoological Rescue & Rehabilitation Kingdom in the Reliance Township at Jamnagar, Gujarat which is in the semi arid-Deserts of Kutch and I personally visited both these properties to see their infrastructure for the Elephant. Both these areas are not the Natural Habitat of Elephants.

The Asian Elephant (Elephant maximus), also known as the Asiatic elephant, is the only living species of the genus Elephas and is distributed through the Indian subcontinent and Southeast Asia. The elephant lives in the Tropical region, although in some parts the temperature is slightly colder than the typical of tropical climates. However the current distribution of wild elephants in India is confined to the Tropics of South India; North East including North West Bengal; Central Indian states of Odisha, South WB and Jharkhand; and North West India in Uttarakhand and UP.

Goa falls under the region of the Tropics of South India and there are many wild Elephants in the Western Ghats. I have seen many wild elephants above the Dudhsagar Waterfalls but because of the steep mountains topography and plenty of vegetation on top they occasionally climb down the Mountains. I am aware that some years back elephants were captured by the Forest Department of Goa and kept at Bondla Zoo as they caused a lot of destruction and panic to the locals of Tambdi Surla, Mollem and Collem. Wildlife do not understand Political boundaries and as the Western Ghats is the Natural Habitat of Elephants my Property is ideally located for an Elephant Care Facility.

I have to inform you that the report of Dr. Surendra Varma has certified that the facilities of my property "Jungle Book" are well and sufficient and has recommended minor changes which have been completed by us and he even suggested that the other elephants have to be relocated to our property.

I have to inform you that as such there is no dirt of facilities and care to our elephants neither there is any petition pending for such a relief against the elephants in my property.

As my Property "Jungle Book" is located in the Western Ghats which is a Natural Habitat for Elephants and because my boundary is located next to the 240 sq kms Bhagwan Mahavir Wildlife Sanctuary & National Park. Of my own initiative, I suggested that a proposal could come across whereby an "Elephant Care facility" can be set up in corporation of the Forest Department and the Animal husbandry department. Whereby the said elephants could be well cared for and looked after.

I therefore had proposed that as a stake holder and in terms of page 10 of Dr. Surendra Verma committee report where a long term plan could be worked out that a proposal and in the nature of a **SELF FINANCING FACILITY** along the lines of that in Karnataka can be set up.

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Whereby animals like Elephants and possibly others could be cared for and well looked after in this facility with the use of voluntary services of persons including people who care for Elephants and other animals with their active support and participation so as to enable the financing of the high cost in feeding of such animals.

I therefore have to request you to kindly spare me some time so that such a proposal could be well discussed and documented in the interest of Animals and of course the department whereby a medium can be reached whereby a proper Elephant Care Facility can be set up in Goa.

I therefore request you to urgently give me your precious time on an appointed date which may be at the earliest so that the matter can be well documented and proposal could reach some fruitful point.

Thanking you.

Yours truly,

Joseph Barreto
9822121421

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Exhibit C

RADHE KRISHNA TEMPLE
ELEPHANT WELFARE TRUST
(Registration No. E/22723/Ahmedabad)

Ref: RKTEWT/2022/AJ/17

18th Aug, 2022

To
The Additional Principal Chief Conservator of Forests
& Chief Wildlife Warden
Government of Goa,
3rd Floor, Junta House,
Panaji,
Goa – 403 001
Apccf.goa@gmail.com

Sub: Radhe Krishna Temple Elephant Welfare Trust's willingness to provide lifetime care to Elephants from Goa

Sir,

We have come to know that there are some domestic Asian Elephants in Goa, whose owners are unable to give proper care to the Elephants because of their economic situation and that the owners are looking for a care center that is willing to give life-time care to the Elephants.

Your kind attention is drawn to the Radhe Krishna Temple Elephant Welfare Trust's (RKTEWT) facility in Jamnagar which is recognized by the Gujarat Forest Department. Currently, the facility houses over 170 Elephants in large open enclosures and are taken care of by 11 experienced Veterinary Doctors, 22 Para-Vets, 386 Mahouts and over 50 support staff. The facility is also home to the world's largest Elephant hospital with state-of-the-art equipment.

It is submitted that the RKTEWT has the required facility, expertise and willingness to rehabilitate such Elephants for lifetime care if the owners are willing to donate the Elephants to the Trust. You are requested to kindly let the RKTEWT know of any such owners of Elephants in Goa who are unable to give proper care to the Elephants and want to donate them to a Care Centre. The transportation of such animals from Goa to Jamnagar shall be done by the team of experts from the RKTEWT in Animal Ambulances. The RKTEWT shall bear all the expenses of the transportation and also the expenses during its care and medical treatment for its lifetime.

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RADHE KRISHNA TEMPLE
ELEPHANT WELFARE TRUST
(Registration No. E/22723/Ahmedabad)

Submitted for your kind information and needful action, please.

Thanking you.

Your Sincerely,

Gour bahadur

Authorized Signatory

RADHE KRISHNA TEMPLE
ELEPHANT WELFARE TRUST
Registration No. E/22723/Ahmedabad

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IN THE HIGH COURT OF BOMBAY AT GOA

PIL. Writ Petition No.30/2022

People for Animals- Goa..... Petitioner

Vs

The Principal Chief Conservator of Forests

And Chief Wildlife Warden and Ors. .... Respondent

AFFIDAVIT IN REPLY TO THE COMPLIANCE REPORT DT 7-10-2022 OF THE DY. CONSERVATOR OF FOREST.

I, Shri. Joseph Barreto, proprietor of Jungle Book, Respondent No. 4, Indian national, age 57 years, do hereby state under solemn oath and affirmation as under:-

1. I say that there were no reliefs sought for in this petition against this Respondent in fact on Para 21 of the Petition

the Petitioner states that (With respect to the 6 elephants at the Jungle Book (respondent no 4) the report observed that compared to the other 2 farms, this farm appeared to be more organized providing facilities such as shelter, food, water, means to free range etc. Petitioner is therefore not seeking any relief at present against respondent no 4 .....)

2. I say that I am filing this affidavit only to deal with the averments made in the compliance report in paragraph 3, 4 & 5.

3. I say that the contents of Para 4 of the compliance report are denied. It is clarified that this respondent has been maintaining and looking after his elephants (6 No's) for about 30 years & even the report of Dr. Surendra Verma committee and the AWBI committee pursuant to Supreme

Court orders disclosed that the elephants are in good health and good facilities have been provided.

4. I say that Dr. Surendra Verma report had even recommended that the elephants from the other resorts be transferred to this respondents premises as it had most of the required facilities for the elephant upkeep.

5. I say that even the Forest Department along with the Veterinary doctor of the animal husbandry had been conducting regular inspections which also report the good health of the animals. The last held on 14th October 2022.

6. I say that it is specifically denied that this respondent has illegal transported the elephants to his facility. All the 5 elephants have been transported to Goa after obtaining the required Transport Permits from the Chief Wildlife

Warden of the respective states & due and proper intimation of the elephants within the stipulated period of time of thirty days has been duly made to the chief wildlife warden of Goa. A chart of which is annexed in the letter addressed to the under Secretary To Chief Minister annexed to the affidavit filed earlier by this Respondent.

7. As far at the 6th elephant is concerned he is a 3 year old elephant calf namely (Dumbo) born to Elephant Sujata (that the Forest Department acknowledges that the respondent is the rightful owner) & born in the respondents facility itself. The elephant was born 3 years ago in August 2019 and the birth certificate was issued by the Veterinary officer of the Animal Husbandry Department, Mollem and proper intimation to the Chief wild warden was given on 16-09-2019.

8. I say that this respondent has only pressed for financial assistance during the Covid times that too only because the elephants had been wrongfully seized by the forest department and no proper assistance was being provided by the Government in terms of transit Permit to fetch fodder during lockdown & grazing permit. This facility was scarce during the Covid times. It is reiterated that this respondent has sufficient means to look after the welfare of his 6 elephants as he has been doing for the past over 20 years and will continue to do so in their lifetime.

9. I say that in fact this respondent had made a representation seeking permission to set up a Self - Financed Elephant care facility which representation has not been decided as yet by the forest department. (This letter is attached to the Compliance report of the Dy. Conservator of Forest).

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10. I say that the 6 elephants as rightly pointed out by Dr. Surendra Verma report are properly cared for at my facility and there is no reason why they need to be transported from their Natural Habitat to over 1500 kms. to Gujarat under a lot of stress and difficulty for the safety of these animals, To a complete alien environment.

11. I say that the Honorable Supreme Court has itself in the Civil Writ Petition no 745 of 2018 recorded in its order that the issue of whether the elephants are required to continue at these facilities of these respondents will be decided at a later stage and this issue has also being specifically been considered in an earlier writ petition no 25 of 2018 of this Honorable Court where the Petition been kept in hold to be decided only after the Honorable Supreme Court decided the civil writ petition no.745 of 2018.

12.I say that all that is stated in paragraphs 1 to 11 are true to my knowledge.

Solemnly affirmed this 17th day of October 2022

At Panaji Goa.

Deponent

Adv. Vivek Rodrigues.

N

IN THE HON'BLE HIGH COURT OF JUDICATURE

OF BOMBAY AT PORVORIM, GOA

Misc. Civil Application No. 119 / 2023

in

P.I.L.W.P. No. 30/2022

People for Animals - Goa ....**APPLICANT**

v/s.

The Principal Chief
Conservator of Forests &
Chief Wildlife Warden & Ors. ...**RESPONDENTS**

20/3/2023

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R/C 20/3/23

R/C 20/3/23

R/C 20/3/23

Place: Porvorim, Goa

Date: 20.03.2023 Advocate for the Applicant

IN THE HON'BLE HIGH COURT OF JUDICATURE

OF BOMBAY AT PORVORIM, GOA

Misc. Civil Application No. _____/ 2023

***in* P.I.L.W.P. No. 30/2022**

1. **PEOPLE FOR ANIMALS - GOA,**
   through its President Smt. Norma Alvares,
   age 71 years, a Society registered under
   the Societies Registration Act, 1860,
   with Reg. No 46/Goa/99, having office
   at G-8, St. Britto Apartments,
   Feira Alta, Mapusa, 403507, Goa,
   PAN No. – AAAJP0416B,
   Approx. annual income - Rs 10,00,000/-,
   Email id. - pfagoa@gmail.com

v/s.

1. **THE PRINCIPAL CHIEF**
   CONSERVATOR OF FORESTS,
   & CHIEF WILDLIFE WARDEN
   (PCCF/CWW) 'Van Bhavan',
   Altinho, Panaji, Goa – 403001.

2. **THE GOA STATE WILDLIFE BOARD,**
   Through its Member Secretary,
   the PCCF/CWW, 'Van Bhavan',
   Altinho, Panaji, Goa – 403001.

3. **THE STATE OF GOA,**
   through its Chief Secretary,
   c/o Secretariat, Porvorim, Goa - 403521.

4. **M/S JUNGLE BOOK RESORT,**
   Bazarwado, Collem,
   Dharbandora, Goa - 403410.

5. **M/S SAHAKARI SPICE FARM,**
   Ponda Belgaum Highway,
   Curti, Ponda, Goa - 403401.

6. **M/S TROPICAL SPICE PLANTATION,**
   H.No. A-14 , Arla Bazar Keri,
   Ponda, Kerim, Goa - 403401.

7. **WILDLIFE RESCUE AND REHABILITATION CENTER (WRRC),**
   A3, First Floor, Kensington Apartments,
   18/1 Ulsoor Cross Road,
   Off Bazaar Street, Ulsoor,
   Bengaluru - 560083.

8. **BHAGWAN GANGARAM SHINDE,**
   aged 59 years, Modha Vasti,
   Ravalgaon, Malegaon, Nashik,
   Maharashtra – 423108
   Mobile no. - 9967463231.

....RESPONDENTS

(Above addresses are all registered addresses of parties)

3

APPLICATION FOR DIRECTIONS

MAY IT PLEASE YOUR LORDSHIPS

1. The Applicant is filing this MCA for urgent steps to be taken by the Respondent No. 4 (*M/s Jungle Book Resort*) and the Respondent State authorities to safeguard the health and wellbeing of the elephants at the Jungle Book Resort, pending the Hon'ble Supreme Court's ruling in the matter of ownership of the elephants which is pending before the Court.

2. The Applicant has read with alarm the report of the Forest Department which was presented to this Hon'ble Court on the last date of hearing (*viz. 6th March 2023*) about the condition of the elephants at the Jungle Book Resort. The report discloses that one young elephant calf had expired, practically overnight, in the month of January 2023, due to cardiac arrest. The baby elephant was reportedly fine in the preceding days, but developed listlessness and apathy on the evening of 21st January after he returned from his usual walk. The mahout contacted the Veterinary officer at Mollem but as he was not available, Mr Joseph Baretto the owner of Jungle Book Resort

4

contacted a veterinary doctor in Kerala who prescribed some medicines, which were given to the baby elephant on the same evening. However, a few hours into the night the elephant's condition deteriorated and long before morning he had stopped breathing.

3. It is apparent that the elephant's condition was not properly diagnosed by the veterinary doctor in Kerala who was consulted, and this is most likely due to the fact that the condition of the animal was relayed by non-medical, lay persons, who themselves did not understand the complexity of the ailment that afflicted the young elephant. Although the record shows that they took steps immediately to contact veterinary doctors, none being available on call, the precise diagnosis of the elephant's condition was not properly assessed in time.

4. It is necessary therefore that the Jungle Book Resort must make arrangements for a veterinary doctor who is also properly conversant with elephant behaviour and health to be appointed to routinely attend to the balance 5 elephants who would be in need of a periodic check-up.

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5. The report also details an incident which occurred a few days after the death of the baby calf, when an adult male elephant in musth state (in heat) broke its chains, hit some of the other female elephants, dashed into electric poles and broke out of the premises, entering into the market area in a highly aggressive state. It is only because the forest officers from the Mollem Wildlife Sanctuary rushed to the site and quietened the huge animal with tranquiliser darts that a human calamity was avoided. Once again, this incident gives a clear impression that some additional overseeing of the Jungle Book facility by officers conversant with elephant behaviour is badly required.

6. The Applicant is aware of the care, love and affection that Mr. Joseph Baretto, proprietor of the R. 4 Jungle Book Resort has given to the elephants over the years, but obviously that alone is not enough for their present well-being. Expert specialized knowledge of elephant behaviour and timely recourse to medicine is the absolute need of the hour in as far as the 5 elephants currently housed in the premises of the R. 4 are concerned.

6

Prayers

7. The Applicant therefore prays that this Hon'ble Court grant the following reliefs:

i) For directions to the Resp No. 4 to appoint a veterinary doctor, competent in the care of elephants to be in charge of the elephants at Jungle Book facility;

ii) For the State authorities through the Forest Dept to oversee the facilities and care provided to the elephants at the Jungle Book facility, and take necessary steps to improve the health and well-being of the animals, as may be found necessary;

iii) *Or, in the alternative*, for directions to the State of Goa/ its authorities to temporarily transfer the elephants from the Jungle Book facility to a suitable Elephant Care facility until the Supreme Court decides the issue of ownership of the animals;

iv) Any other order which may be necessary.

For the above, the applicant is truly grateful.

Place: Porvorim, Goa

Date: 20.03.2023 Applicant

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IN THE HON'BLE HIGH COURT OF JUDICATURE OF BOMBAY AT PORVORIM, GOA

Misc. Civil Application No. _____/ 2023

in

P.I.L.W.P. No. 30/2022

People for Animals - Goa ....**APPLICANT**

v/s.

The Principal Chief
Conservator of Forests &
Chief Wildlife Warden & Ors. ...**RESPONDENTS**

AFFIDAVIT IN SUPPORT OF THE APPLICATION

I, Norma Alvares, President of the Applicant organization above named, do hereby solemnly affirm and declare as under:-

1. I have today filed this Application seeking urgent directions from this Court regarding the elephants currently residing at the premises of the Resp. No. 4.

2. I state that the contents of paras 1(p), 2, 3(p), 4(p), 5(p), and 6(p) of the accompanying Application are in the nature of facts which are true to my own knowledge and official records/documents, and the contents of paras 1(p), 3(p), 4(p), 5(p), 6(p) and 7 are my submissions made on legal advice which I believe to be true and correct. No part of it is false and nothing material has been concealed therefrom.

Solemnly affirmed at Porvorim, Goa,
this the 20th day of March 2023 Deponent

IN THE HON'BLE HIGH COURT OF JUDICATURE

OF BOMBAY AT PORVORIM, GOA

Misc. Civil Application No. 625/ 2023

in

P.I.L.W.P. No. 30/2022

People for Animals - Goa ....**APPLICANT**

v/s.

The Principal Chief
Conservator of Forests &
Chief Wildlife Warden & Ors. ...**RESPONDENTS**

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Place: Porvorim, Goa

Date: 20.03.2023 Advocate for the Applicant

IN THE HON'BLE HIGH COURT OF JUDICATURE

OF BOMBAY AT PORVORIM, GOA

Misc. Civil Application No. _____/ 2023

***in* P.I.L.W.P. No. 30/2022**

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   PAN No. – AAAJP0416B,
   Approx. annual income - Rs 10,00,000/-,
   Email id. - pfagoa@gmail.com

... **APPLICANT**

v/s.

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   CONSERVATOR OF FORESTS,
   & CHIEF WILDLIFE WARDEN
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2. **THE GOA STATE WILDLIFE BOARD,**
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   the PCCF/CWW, 'Van Bhavan',
   Altinho, Panaji, Goa – 403001.

3. **THE STATE OF GOA,**
   through its Chief Secretary,
   c/o Secretariat, Porvorim, Goa - 403521.

4. **M/S JUNGLE BOOK RESORT,**
   Bazarwado, Collem,
   Dharbandora, Goa - 403410.

5. **M/S SAHAKARI SPICE FARM,**
   Ponda Belgaum Highway,
   Curti, Ponda, Goa - 403401.

6. **M/S TROPICAL SPICE PLANTATION,**
   H.No. A-14 , Arla Bazar Keri,
   Ponda, Kerim, Goa - 403401.

7. **WILDLIFE RESCUE AND REHABILITATION CENTER (WRRC),**
   A3, First Floor, Kensington Apartments,
   18/1 Ulsoor Cross Road,
   Off Bazaar Street, Ulsoor,
   Bengaluru - 560083.

8. **BHAGWAN GANGARAM SHINDE,**
   aged 59 years, Modha Vasti,
   Ravalgaon, Malegaon, Nashik,
   Maharashtra – 423108
   Mobile no. - 9967463231.

....**RESPONDENTS**

(Above addresses are all registered addresses of parties)

APPLICATION FOR DIRECTIONS

MAY IT PLEASE YOUR LORDSHIPS

1. The Applicant is filing this MCA for urgent steps to be taken by the Respondent No. 4 (*M/s Jungle Book Resort*) and the Respondent State authorities to safeguard the health and wellbeing of the elephants at the Jungle Book Resort, pending the Hon'ble Supreme Court's ruling in the matter of ownership of the elephants which is pending before the Court.

2. The Applicant has read with alarm the report of the Forest Department which was presented to this Hon'ble Court on the last date of hearing (*viz. 6th March 2023*) about the condition of the elephants at the Jungle Book Resort. The report discloses that one young elephant calf had expired, practically overnight, in the month of January 2023, due to cardiac arrest. The baby elephant was reportedly fine in the preceding days, but developed listlessness and apathy on the evening of 21st January after he returned from his usual walk. The mahout contacted the Veterinary officer at Mollem but as he was not available, Mr Joseph Baretto the owner of Jungle Book Resort

contacted a veterinary doctor in Kerala who prescribed some medicines, which were given to the baby elephant on the same evening. However, a few hours into the night the elephant's condition deteriorated and long before morning he had stopped breathing.

3. It is apparent that the elephant's condition was not properly diagnosed by the veterinary doctor in Kerala who was consulted, and this is most likely due to the fact that the condition of the animal was relayed by non-medical, lay persons, who themselves did not understand the complexity of the ailment that afflicted the young elephant. Although the record shows that they took steps immediately to contact veterinary doctors, none being available on call, the precise diagnosis of the elephant's condition was not properly assessed in time.

4. It is necessary therefore that the Jungle Book Resort must make arrangements for a veterinary doctor who is also properly conversant with elephant behaviour and health to be appointed to routinely attend to the balance 5 elephants who would be in need of a periodic check-up.

5. The report also details an incident which occurred a few days after the death of the baby calf, when an adult male elephant in musth state (in heat) broke its chains, hit some of the other female elephants, dashed into electric poles and broke out of the premises, entering into the market area in a highly aggressive state. It is only because the forest officers from the Mollem Wildlife Sanctuary rushed to the site and quietened the huge animal with tranquiliser darts that a human calamity was avoided. Once again, this incident gives a clear impression that some additional overseeing of the Jungle Book facility by officers conversant with elephant behaviour is badly required.

6. The Applicant is aware of the care, love and affection that Mr. Joseph Baretto, proprietor of the R. 4 Jungle Book Resort has given to the elephants over the years, but obviously that alone is not enough for their present well-being. Expert specialized knowledge of elephant behaviour and timely recourse to medicine is the absolute need of the hour in as far as the 5 elephants currently housed in the premises of the R. 4 are concerned.

Prayers

7. The Applicant therefore prays that this Hon'ble Court grant the following reliefs:

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   ii) For the State authorities through the Forest Dept to oversee the facilities and care provided to the elephants at the Jungle Book facility, and take necessary steps to improve the health and well-being of the animals, as may be found necessary;

   iii) *Or, in the alternative*, for directions to the State of Goa/ its authorities to temporarily transfer the elephants from the Jungle Book facility to a suitable Elephant Care facility until the Supreme Court decides the issue of ownership of the animals;

   iv) Any other order which may be necessary.

For the above, the applicant is truly grateful.

Place: Porvorim, Goa

Date: 20.03.2023 Applicant

IN THE HON'BLE HIGH COURT OF JUDICATURE
OF BOMBAY AT PORVORIM, GOA

Misc. Civil Application No. _____/ 2023

in

P.I.L.W.P. No. 30/2022

People for Animals - Goa ....**APPLICANT**

v/s.

The Principal Chief
Conservator of Forests &
Chief Wildlife Warden & Ors. ...**RESPONDENTS**

AFFIDAVIT IN SUPPORT OF THE APPLICATION

I, Norma Alvares, President of the Applicant organization above named, do hereby solemnly affirm and declare as under:-

1. I have today filed this Application seeking urgent directions from this Court regarding the elephants currently residing at the premises of the Resp. No. 4.

2. I state that the contents of paras 1(p), 2, 3(p), 4(p), 5(p), and 6(p) of the accompanying Application are in the nature of facts which are true to my own knowledge and official records/documents, and the contents of paras 1(p), 3(p), 4(p), 5(p), 6(p) and 7 are my submissions made on legal advice which I believe to be true and correct. No part of it is false and nothing material has been concealed therefrom.

Solemnly affirmed at Porvorim, Goa,
this the 20th day of March 2023 Deponent

(1) — Instructions of WL Dept to Vety officers / pvt vets reluctant to assist

Rlc on 03.04.23 @ 1:00 pm.

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(2) Wants to set up EC Facility
Last Note — he wanted Govt to run it

IN THE HIGH COURT OF BOMBAY AT GOA

PILWP NO. 30/2022

PEOPLE FOR ANIMALS GOA
~~GOA FOUNDATION~~ ...PETITIONER

V/S

PRINCIPAL CHIEF CONSERVATOR
~~STATE OF GOA AND OTHERS~~ FORESTS AND ORS ...RESPONDENT

AFFIDAVIT IN REPLY TOTHE APPLICATION FOR DIRECTIONS FILED BY THE PETITIONER ONBEHALF OF RESPONDENT NO.4.

MAY IT PLEASE YOUR LORDSHIP

1. At the outset, this Respondent state that the present reply is only filed to set out certain facts before this Honorable court.

COURT OF BOMBAY AT GOA

2. This Respondent states that he has already appointed a veterinary Doctor Miss Reanna Marysa Carvalho on 15/3/2023. She has completed her studies from Rajiv Gandhi Institute of Veterinary Education & Research-Puducherry, India which is renowned Institute in India. Further she has completed her post graduation from Indian Veterinary Research Institute –

Bareilly Uttar Pradesh, India. She has worked as a Veterinarian surgeon for Panjim Animal Welfare Society from February 2020 to September 2022. This Respondent has appointed said Doctor on 15/03/2023.

3. It is stated that this Respondent is in possession of Elephants for over three decades and has always been fond of Elephant and as such, reared elephant in his farm. Being so, this Respondent is aware of wellbeing and any such physical condition which may occur to the elephants.

4. The present application is filed based upon the report of Forest Department presented to this Honorable Court dated on 06/03/2023 which states that the baby Elephant namely Dumbo expired overnight on 21/1/2023 due to Cardiac arrest. This Respondent states that on 21/01/23, the acting Range Forest of Mollem Shri Jairam accompanied by 2 others has inspected our Elephants and the problem faced due to the Musth stage of the Elephant. Musth condition is a natural occurrence in Male Elephant. At the time of inspection, the Elephant Dumbo had not showed any symptoms and was perfectly normal. In the same evening, the said baby Elephant started developing uneasiness. The concerned mahout contacted the veterinary officer but he was not available. This Repondent was therefore constrained to contact doctor from Kerala who is an expert in Elephant health. After explaining him the situation over telecommunication i.e video call, the said doctor prescribed certain medicine which was immediately given to the said Elephants. Later in the night at about 1.50 a.m. the said Dumbo baby Elephant became restless.

Seeing that this Respondent made number of calls to doctors and Forest Department officials however no one answered. By morning said baby elephant expired. This Respondent states that due to the instructions of wild life Department, the local Government and non Government doctors are hesitant to deal with this Respondent and hence this Respondent had to consult doctors outside State of Goa.

5. It is denied that said Elephant was not properly diagnosis by veterinary doctor. It is denied that the said diagnosis was done non-medical person who did not understand the complexity of the matter. This Respondent took immediate steps to contact the doctors but none were available on call.

6. This Respondent denies the content of report filed by the wild life Department. The said report is full of distorted facts. This Respondent shall file details objections to the report submitted to this Hon'ble Court separately.

Musth

7. With regards to the incidents of elephant in Musth stage, this Respondent states that said incident occurred on 26/1/2023.

8. On 26th January 2023 at 7.43 am, this Respondent called the acting RFO of Collem and other forest officials in Collem as Elephant Aromal

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broke the chain. It is denied that the Elephant on Musth caused an alarming situation. This Respondent and his Mahouts were in total control of the said Elephant. This Respondent had to ask for the help of the Forest Department as the Forest Department did not permit this Respondent to buy Tranquilizing Gun. Thereafter the Forest Team arrived at about 9.30 and used their tranquilizing gun. This Respondent denies that the Elephant went to the market. The Respondent states that the Elephant did not go outside the facility but was moving around the female elephants within the facility only.

9. This Respondent has been continuously perusing for the past many years with the Wild Life Department to allow him to set up / upgrade a complete Elephant care facility at Jungle Book, necessary to improve the health and well-being of the elephants. However there is no positive response from the government.

10. This Respondent that this Honorable Court passes necessary direction to the Forest Department and Wildlife Department to corporate with this Respondent to set up a necessary health care facility at Jungle Book. IMP.

11. This respondent states that the alternative prayer sought by the application cannot be considered in view of orders passed by the Honourable Supreme Court in IA 19/ 2015 in WP 743/2014.

Place: Porvorim Goa

Date: 3/4/2023.

Preetam N. Talaulikar
Adv for Respondent no. 4

AFFIDAVIT

I, Joseph Barretto, Son of A.I.F.Barreto, resident of House no 28, Rua de Ourem, Panjim, Goa, Respondent no. 4, do hereby on solemn affirmation states that the content of paragraphs 1 to 10 are true to my knowledge and the content of remaining paras are my legal submissions based on the legal advice.

Solemnly affirmed on this 3rd day of April 2023 at Porvorim Goa

DEPONENT

Identified by me

Preetam N. Talaulikar

(Preetam N. Talaulikar)

Solemnly affirmed before me by Joseph Barretto who is identified before me by Adv P Talaulikar whom I personally know. Dated this 3rd day of April 2023

Section Officer
High Court of Bombay
at Goa, Porvorim

Report on death of elephant calf Dumbo (3.4 years) on 22.01.2023 and on restraining of the adult male elephant Aromal (Guddu) on 26th January, 2023 at Jungle Book Resort, Collem, South Goa District- North Goa Forest Division

Information was received on 22/01/2023 at 7.30 AM from Range Forest Officer i/c of Collem Range regarding death of Elephant Calf Dumbo. Undersigned visited the site and panchanama was carried out by RFO, Collem and buried the carcass of the baby elephant on the same day after conducting the post-mortem by the veterinary surgeon and following all codal formalities.

Details on housing of the elephants at Jungle Book resort, Collem

The place where the carcass of the calf elephant was found is Sy.No.58/1 of village Collem admeasuring an area of 1200 Sq. mtrs approximately. There are altogether 5 adult elephants at this place. One of the elephant namely 'Aromol was in musth condition. The area where these elephants are housed, is an open area. It is noticed that there are not enough facilities provided for the upkeepment of these elephants. The water ponds providing drinking water are small in size, with dimension of 1mtr x 1mtr x 1mtr which are 3 in numbers, actually meant for cows & goats. Old shade houses also present at this site where earlier Cows & Goats were kept.

The said area is bounded on one side by Railway Track (Collem- Londa), the one side by cachha road, one side by the burial ground of the Church, and one side by cachha road leading to the place where the elephant housed. It was noticed that one electric pole carrying 11KV line was in the middle portion of the area and the said elephant 'Aromol' which was in musth condition was found pushing the said electric pole, creating a frightening situation. Due to timely interference of the Forest & Electricity Departments, the said electric wires switched off and shifted.

The GPS coordinate of the area where the elephants are housed are as below:-

A. N 15' 33 72 44
E 74' 24 60 38

B. N 15' 33 70 71
E 74' 24 61 32

C. N 15' 33 71 35
E 74' 24 55 73

D. N 15' 33 68 98
E 74' 24 58 79

Post-mortem findings

The post-mortem report of the elephant calf Dumbo, submitted by Veterinary Officer, Mollem stated the finding that Hemorrhagic shock & cardiac arrest led to death of the elephant. Copy of the post-mortem report may be seen at Annexure-I.

The matter was further inquired by the undersigned and statements of the owner of Jungle Book Resort and the Mahouts were recorded. The statements may be seen as Annexure-II & III.

Details on restraining of adult male elephant Aromal (Guddu) on 26/01/2023

On 26th January, 2023, information received from RFO, Collem that the adult male elephant Aromal (Guddu) which was in musth state and housed at Jungle Book Resort, Collem has broken the chains and moving freely in the area in a very alarming situation. The elephant was reported as hitting the fellow elephants at this facility and dashing the electric poles and trees. Immediately the matter was reported to the rescue team of Bondla Wildlife Sanctuary and the team consisting the veterinary doctor has arrived the spot by 9.30 AM.

Even though the mahouts at Jungle Book Resort tried their level best to restrain the elephant physically. By the time, the elephant was found to be very aggressive and forcefully went outside the facility and entered the market place at Collem. Considering the alarming situation, the elephant was darted by the veterinary officer and brought restrained at the housing facility at Jungle Book Resort by 12.30 PM. The detailed report submitted by the Veterinary Officer may be seen as Annexure- IV.

Observations

1. Upon seeing the overall conditions, it is found that the housing facility for the elephants are not enough for keeping this many number of elephants. The area is also found inadequate for housing these elephants, when a situation arises viz musth condition of elephants.
2. There is no enough drinking facility provided to the elephants, while kept restrained at this facility originally meant for cows/goats.
3. No veterinarians specialized in elephant care is available in Goa, and therefore proper treatment is nearly impossible for the elephants. Shri. Joseph Barreto, owner of Jungle Book resort, Collem has informed that he is consulting elephant vets from other States also when required and administer drugs as per their advice. This is a more harmful situation for health of the elephants, as actual health conditions not evaluated.
4. The trains passing through the active railway track (Collem-Londa) is found to be very much disturbing for the elephants housed at the Jungle Book resort, Collem, especially when an elephant is in a natural condition of musth. The sounding sirens of the trains are found to be disturbing for these elephants in captivity.
5. Shri. Joseph Barreto, owner of the Jungle Book Resort claims that he is managing the elephants in a chain free environment; but it is noticed that

this chain free environment is not practical at this facility when an elephant turns to a musth state.

6. In view of above, it may be appropriate that the remaining 05 Nos. elephants may be shifted to an established elephant care facility where proper veterinary & health care can be ensured at the earliest to avoid untoward incidences to the remaining captive elephants housed at Jungle Book Reosrt, Collem.

Submitted for kind consideration please.

(Vishwas Chodankar)
ACF & Sub-Divisional Forest Officer
North Goa Division-Ponda

Annexure - I

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OFFICE OF THE VETERINARY OFFICER VETERINARY DISPENSARY MOLLEM

VD/MOL/22-23/11/472

DT:- 23/01/2023

To,
The RFO,
Collem Range.

Sub :- Submission of Post Mortem Report.
Ref:- Your letter No- 30- wildlife/RFO/CLM/22-23/1047 dated 22/01/2023.

Sir,

Please find enclosed here with a post mortem of Elephant for further needful.

This is for doing needful,

Thanking you,

Yours faithfully.

(Dr. Rama Parab)
VETERINARY OFFICER
GOVERNMENT VETERINARY DISPENSARY

Award No.:
VD/mol/22-23/44/472
dt:- 23/1/2023

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ORIGINAL

GOVERNMENT OF GOA

DIRECTORATE OF ANIMAL HUSBANDRY AND VETERINARY SERVICES
POST MORTEM EXAMINATION REPORT

Address of Establishment: Office Of Veterinary Officer, Govt. (Seal) Dispensary, Mollem - Goa. 403410.	Post Mortem Sr. No. 13	Year 22-23	
Date of P. M. Examination	22/01/2023		
Name of P. M. Examiner	Dr. Rama G. Parab	GSVC Reg. No. 114.	
P. M. necessitated by/for	R.F.O Collem Range		
Referred by Letter No.	30-wildlife/RFO/CLm/22-23/1047 dt-22/1/23		
Insurance by	—	Policy No. —	
Name & address of the Owner	Joseph Barreto, owner of Jungle Book, Resort, Collem Goa.		
Place of P.M. Examination	Collem Goa.		
Date of Death Reported	22/01/2023	Time of Death reported	2.50am
Date of Post mortem	22/01/2023	Time of Post-mortem	4.30pm.
Rigor Mortis	(Present/Absent) Present.		

Species	Breed	Age	Sex: Male/Female	Microchip/Ear Tag No.
Indian Elephant.		3.4yrs (app)	male	9780000117319 50

Colour of Coat	Horns	Switch of Tail (Colour)	Any other identification marks, if any
Black	—	—	—

ORIGINAL

General condition of the Carcass/Skin/Hair	Good
External appearance of Animal/Carcass	Good
External Orifices (Discharge/Exudate)	No Discharge
Subcutaneous changes and lesions	Petechiae, with Discrete Cyanosis
Sense Organs (Eye, Ear, Nose, Skin, etc.)	NAD
Nervous System (Brain, Spinal Cord, etc.)	—
RESPIRATORY SYSTEM	
Thorasic Cavity	—
Lungs	Haemorrhagic both Lungs - Diffuse
Trachea	Haemorrhagic
Bronchi	Petechiae
Pleura	—
CARDIOVASCULAR SYSTEM	
Heart	Diffuse thick Haemorrhagic Endocartis (Blood clot seen)
Pericardium, etc.	Pericarditis & diffuse & thick Haemorrhagic.

ORIGINAL

DIGESTIVE SYSTEM	
Oral Cavity and Tongue	mouth - ulcers are seen. Tongue - Cyanotic.
Oesophagus	—
Stomach	Patchice Haemorrhages.
Small Intestine	Pale Intestine
Large Intestine	Pale Large Intestine
Liver	Haemorrhagic.
Gall Bladder	Distended & dilz
Pancreas	Haemorrhages noted.
Spleen/Lymph nodes	Pale
Peritoneal Cavity	NAD

URINARY SYSTEM	
Kidneys	Haemorrhagic
Ureters	—
U. Bladder	—
Urethra	—

ORIGINAL

GENITAL SYSTEM	
FEMALE	MALE
PREGNANCY STATUS Non-Gravid/Gravid Appr. (weeks/months)	
Ovaries	Scrotum/Testicles —
Uterus	Epidydimus —
Vagina/Vulva	Penis/Prepuce —
MUSCULO SKELETAL SYSTEM	
—	

History/Any other information: Elephant was healthy and eating normally. at 7PM dullness observed by 10.30 PM Elephant was restless, with Sighs & Shivering, lying down & getting up. by 2.30 am he died.

Whether animal is purchased under Departmental Scheme, if yes, the name of the Scheme ..... —

..... and date of purchase ..... —

Organ/Tissues referred to I

Vide letter No.: 1647 Dated: 22/01/2023

DIAGNOSIS: Lessions Suggestive of Haemorrhagic Shock, Cardiac arrest & Death

Issued vide Receipt No. 899857 Book No. 1496 dated 25/1/2023 Rs. 300/-

Note:- Two Tusks (RT & LT) Side taken by Forest Dept.

Signature of Veterinary Doctor

Full Name: Dr Rama Pawb

VETERINARY OFFICER
GOVERNMENT VETERINARY DISPENSARY
MOLLEM – GOA

Place: Collem

Date: 22/01/2022.

OFFICE OF THE VETERINARY OFFICER
GOVERNMENT VETERINARY DISPANSARY
MOLLEM - GOA

Annexure II 273

STATEMENT

Date:- 22/01/2023
Place:- Jungle book
Resort, Collem

I Shri. Joseph Barreto, R/o H.No.28 Ruadc Ourem, Panjim - Goa, Age 57 years, Married, Businessman and owner of Jungle book Resort, Collem - Goa, hereby state as follows.

1. I know that I am before Shri. Vishwas Chodan Assistant Conservator of Forests cum. Sub. Divisional Forest Officer, North Goa Division, Ponda - Goa and shri. Jairam Gaonkar, Incharge Range Forest Officer, Collem Range, Collem - Goa.
2. I say that on 22/01/2023 at about ~~2.05 at~~ 2:50 am my elephant named Dumbo stopped breathing and was found dead. We did our level best to give him C.P.R.
3. I say that at about 6.00 pm on dated 21/01 I found that Dumbo was not playing with me the way he used to, so I called Dr. Keta Chowgule, Veterinary Officer Mollem who was not available, so I called a Doctor friend of mine in Kerala who prescribed some medi-tions which was given. Late that night Dr. Ketan called my manager kumari Kanishma Vanak and I spoke to him and narrated the symptoms to him, To which he said he is on leave but he will try to come next morning
4. I say that on the morning time of dated 21/01/2023 the incharge Range Forested officer Collem was called by me as the elephant namely Anomal was on musth and had created problems of attempting to break trees and with fear of him to uchina the ilk

22/01/2023

electric pole. The acting Range forest officer and the electricity Department were called and I requested them to remove the high tension wire and the electricity Department acted on top priority basis. and installed new poles and wires and disconnected the wires where the elephants could have touched as he broke the rope.

5. I say that when the acting RFO was present the elephant Dumbo was in perfect health and acting normal.

6. I say that as the musth elephant is the father of Dumboo and A close friend of montara, Sujatha and Rekha, he was trying to break the chain so to comfort him I decided to restrain the above four elephants nearby and Aromal stopped to try to break the chain.

7. I say that Aromal without any warning during pre-musth attacked the mahout who escaped with minor injury and in the bargain broke his tush (Deformed tusks).

8. I say that all the elephants are being scientifically fed and with plenty of water. The female elephants in rotation continued their normal exercise as we needed to comfort aromal with their presence.

9. I say that Dumboo used to be with female elephants till the time of his death.

10. I say that the next morning on dated 22/01/2023 I sent an email to the chief Conservator of Forest and informed Dr. Ketan Chowgule, Veterinary officer Mollem, Dr. Joulina Vaz, Veterinary officer and Shri. Jairam Gaonkar, Incharg Range Forest Officer, Collem and Others.

11. I say that the Veterinary doctors requested m to ask the Forest Department to write a letter

elephants were seized and as the Forest Department conducts the health check up by them asking the veterinary Doctors with an official letter.

12. I say that at about 1.50 am onwards on dated 22/01/2023, I called a lot of Forest officials and Veterinary officials for help but only Shri. Narayan Prabhudessai, Range Forest officer answered my call.

13. I say that I suspect the cause of death to be herpes but as I am not a doctor the post mortem report will give a clear picture.

14. I say that the post mortem of Dumbo was conducted from about 4.40pm to about 6.00pm but as I was too, emotional, I was not present However my manager Kumari Kanishma Vanak and mahouts were present.

15. I say that as I had to be strong to lead my team, I directed and managed the shifting of Dumbo's carcus from the place where he died to the burrial place which in located in sy. No. 58/5 of Collem village of Sharbandora Taluka, which is opposite to each other.

16. I say that although I am traumatized on the above is true to the best of my knowledge.

22/01/2023

Joseph Barreto

STATEMENT

Annexure - III

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Date:- 22/01/2023
Place:- Jungle Book Resort, Collem

I Shri. Madan Lohra, Temporary address:- Jungle book resort, Collem - Goa, Permanent address:- Tanga Pahantoli, Jharkhand, Age 36 years, Married, Mahout (Caretaker) of Dumbo elephant.

1. I know that I am before Shri Vishwas Chodankar, Assistant Conservator of Forests cum Sub Divisional Forest Officer, North Goa Division Ponda - Goa and Shri. Jairam Gaonkar, Incharge Range Forest Officer, Collem - Goa.
2. I say that I am the mahout of Dumbo from his birth and before that I was the mahout of sujatha, Dumbo's mother for the past 10 years.
3. I say that I look after Dumbo like my own baby and feed him and take him for walk on a daily basis.
4. I say that on 21/01/2023 morning at 8.00 am I took Dumbo for walk and came back at around 9.00 am. After returning from walk I fed him with banana stem and sugarcanes. I also took him for walk at evening from 4.00 pm to 5.00 pm.
5. I say that on 21/01/2023 at 6.00 pm about I found dumbo to be dull and informed my boss Joseph Barreto.
6. I say that my boss spoke to somebody and gave some tablets at about 6.30 pm and at about 7.30 pm I gave him astanachurnam and vayugoliya an ayurvedic medicine. as I am monthly basis.

Madan Lohra

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7. I say that I gave 04 nos of vayugoliya pills and 50 gms of astrachurnam and the same is recorded on the elephant register.
8. I say that at about 1.00 am to 1.10 am on dated 22/01/2023. I saw that the elephant was uneasy and shivering. So I called my boss from his room.
9. I say that at about 2.50 am on dated 22/01/2023 dumbo stopped breathing.
10. I say that my boss Joseph Barreto started pressing Dumbo's chest.
11. I say that the above statement in written in english language and it is explained to me in vernacular language hindi, It is true and to the best of my knowledge, I have verified the content of above statement and after verifying the same and satisfying with the content of above statement I willingly sign below.

madan lohra

Madan Lohra

Annexure - IV

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OFFICE OF THE VETERINARY OFFICER
GOVERNMENT VETERINARY DISPENSARY
SAVOIVEREM, PONDA-GOA

Mobile: +91 9607918176
Email: vosavoivere-ahvs.goa@gov.in

GVDSV/2022-23/F-6/321

Date: 08/02/2023

OFFICE OF THE
RANGE FOREST OFFICER
COLLEM - GOA
Inward No 1366
File No 30/44
Page No 99
Date 10/2/23

To,

The Range Forest Officer,

Collem Range, Collem.

Subject: Report of Tranquilization of Captive Elephant Guddu on 26/01/2023.

REF: No. 30-Wildlife/ RFO/CLM/22-23/1130, Dated 08/02/2023.

Sir,

With reference to the subject cited above, this is to inform you that a telephonic message was received to the undersigned at around 8:45 am on 26/01/2023 (during Flag Hoisting Ceremony at Kranti Maidan, Ponda) from Deputy Director Dr. Satyavan Naik, Dept of Animal Husbandry & Veterinary Services stating that a Male Elephant (Guddu) in Musth needs to be tranquilized at Jungle Book Resort Collem. Necessary permissions were sought immediately from the two Depts. (Animal Husbandry & Forest Dept) and the Tranquilizer gun along with the Tranquilizer drugs were obtained from Bondla Zoo. The Veterinary Assistant from Bondla Zoo also was present & accompanied for the Rescue Operation after soughting permission from Range Forest Officer, Bondla. .

After accessing the scenario, the said Elephant Guddu (History: Male, 22 years old weighing 3500 kg and started into Musth period from about 05/01/2023, was restrained temporarily after almost injuring mahout &subsequently broke chain on 26/01/2023) was examined from a distance. After taking necessary action of control (crowd, vehicles, electricity from high tension wires etc) by owner of Jungle Resort, Mr. Joseph Barretto and Forest staff of Collem Range, an initial loading dose of Xylazine 100 (350 mg) and Ketamine 100 (200 mg) was darted into the right biceps femoris muscle. The elephant was observed & got a little drowsy about 25 minutes later. However on looking with binoculars, it was seen that only about half of the dose got injected. Moreover the elephant started splashing himself with water. So a gap time of an hour was given before the next dose was given. A second dart of Xylazine 100 (200 mg) and Ketamine 100 (300 mg) was given on left biceps femoris muscle. The full dose was injected on observing with binoculars. Standing sedation was achieved in 9 minutes after which the elephant was restrained with ropes & legs chained accordingly.

After satisfactory restraining, minor self inflicting wounds on trunk and both darting sites were washed with povidone iodine & smeared with antiseptic. Long acting antibiotic, an analgesic & reversal dose of Yohimbine (60 mg) was administered. Copious amounts of water were thrown on the elephant & feeding/ water schedule was explained to Owner & mahouts.

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OFFICE OF THE VETERINARY OFFICER
GOVERNMENT VETERINARY DISPENSARY
SAVOI VEREM, PONDA-GOA

Mobile: +91 9607918176 Email: vosavoivere-ahvs.goa@gov.in

Subsequent reporting & follow up was done up to 5 days post rescue. The elephant recovered uneventfully with normal physiological activities. Since activity of restrained elephant will be restricted during Musth period, Special diet (high digestible & fiber diet) was explained & further if any issues. then to inform concerned authorities.

This is also to inform you that the entire Xylazine drug used was from stock of Animal Husbandry Department & only the Ketamine 100 stock was used from Bondla Zoo. Both the darts along with needles were recovered and the gun was returned to the custody of The Range Forest Officer, Bondla at around 5:30 pm on 26/01/2023. The same was informed to the Veterinary Assistant (Bondla) and Range Forest Officer Bondla for maintaining the Medicine stock & Tranquilizing equipment at Bondla Zoo.

This is for your kind information & further necessary action.

Thanking you.

Yours faithfully,

08/02/2023

(Dr. Loveleen Vaz)
VETERINARY OFFICER
VETERINARY DISPENSARY
SAVOI-VEREM

Copy to:

1) The Director, Department of A.H.V.S., Pashusamwardhan Bhawan, Panaji for information.
2) The Range Forest Officer, Bondla for information.
3) Office File, Savoi Verem.

Submit to DFO(N) Ponda for needful action

10/02/2023